



Environs

VOLUME II

FIRST EDITION

1985



ENVIRONMENTAL AWARENESS PROGRAMME

Under

**INTEGRATED ECO-DEVELOPMENT PROJECT
ON RIVER GANGA BASIN**

At

CALCUTTA UNIVERSITY

Sponsored by

**DEPARTMENT OF ENVIRONMENT
GOVERNMENT OF INDIA**

*Life Science Centre
Calcutta University
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Edited by
T. M. Das



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PREFACE

It is indeed a great pleasure to announce the publication of *Environs Volume II*. The book is published with a view to generate environmental awareness in general by utilizing existing resources and available indigenous talents in the field of environment. It is heartening to note that this publication has already generated keen interest and received spontaneous welcome from the young workers all over the country.

In the present volume, in the Part VI the DECLARATION made in the 1972 United Nations Stockholm Conference on environment has been published adverbatim. It is often found that most people though aware of this historic Conference need be told in detail about its outcome. This Part will furnish them with the specific knowledge of the very significant promises made in the Stockholm Conference. In the Part VII a full account of Central Acts and Regulations for controlling air and water pollutions with all amendments have been provided. Unless the people are aware of their rights bestowed upon them by the existing laws they would not be in a position to implement them in practice. This Part would help them to exert their rights for enjoying clean and viable environment. Part VIII of this publication offers the important mailing addresses of international organizations working for the environment. Part IX deals with the guidelines and formats for soliciting grants for research projects, symposia, workshops, publication of scientific journals and foreign travel for attending scientific conferences, etc., from the DOE, UGC, INSA, ICMR, ICAR, CSIR, etc. I hope these information would be helpful to the young researchers of the Universities and scientific organizations concerned with the environment.

In this connection I would like to offer my sincere thanks and gratitude to the Department of Environment, Govt. of India for active help and financial assistance. During write up of this Volume I have received incessant encouragement from two of my co-workers, Prof. K. G. Bagchi and Dr. N. C. Datta and 13 Research Fellows of the Ganga Basin Project, specially from Sri Prabir Ghosh Dastidar for correcting the proof. Thanks are also due to the students of 2nd Batch of the M. Phil Course in Environmental Science of the Calcutta University, namely : Sm. Rita Basu, Sri Somenath Bhattacharyya, Sri Siddhartha Sankar Bhattacharyya, Sri Krishnendu Bhattacharyya, Sri Ram Kumar Bhakat, Sri Rakhal Debnath, Sri Dilip Kumar Ghosh, Sri Nabakanta Jana, Sri Debanka Sekhar Misra, Sri Anil Kumar Sahoo, Sm. Susmita Sen, Sri Devashish Sen, Sm. Baby Sinha and Sri Tapan Saha (1st Batch) for their interest and active co-operation.

T. M. Das



CONTENTS

ENVIRONS VOLUME II

PART VI	The DECLARATION made at the United Nations 1972 Stockholm Conference on Environment	1
PART VII	Acts and Regulations for Protection of the Environment	5
	The Central Air Pollution Act, 1981	5
	The Central Water Pollution Act, 1974	40
	The Central Water Pollution Amendment Act, 1978	85
PART VIII	Mailing Addresses of International Organizations engaged in Environmental Protection	97
	Important World Organizations working on Environment	103
	World Organizations who assist/sponsor International Seminars, Symposia and other activities on Environmental/Biological subjects	104
PART IX	General Guidelines for submitting applications for financial supports for Research Schemes/Projects, Seminars, Symposia, Workshops at national and international levels, Deputation/Delegation abroad, Foreign travel for attending scientific conferences and Publication of scientific journals by learned societies, etc.	106
	Department of Environment, Govt. of India	106
	University Grants Commission	120, 192
	Indian National Science Academy	153
	Indian Council of Medical Research	167
	Indian Council of Agricultural Research	176
	Council of Scientific and Industrial Research	184

ENVIRONS VOLUME III—1986

PART X	Standard Techniques for Detection and Measurement of Environmental Pollution
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PART VI

STOCKHOLM DECLARATION 1972

THE MAGNA CARTA FOR OUR ENVIRONMENT

States the common conviction that :

Principle 1 : Man has the fundamental right to freedom, equality and adequate conditions of life, in an environment of a quality that permits a life of dignity and well-being and he bears a solemn responsibility to protect and improve the environment for present and future generations. In this respect, policies promoting or perpetuating apartheid, racial segregation, discrimination, colonial and other forms of oppression and foreign domination stand condemned and must be eliminated.

Principle 2 : The natural resources of the earth, including the air, water, land, flora and fauna and especially representative samples of natural ecosystems, must be safeguarded for the benefit of present and future generations through careful planning or management, as appropriate.

Principle 3 : The capacity of the earth to produce vital renewable resources must be maintained and, wherever practicable, restored.

Principle 4 : Man has special responsibility to safeguard and wisely manage the heritage of wildlife and its habitat which are now gravely imperilled by a combination of adverse factors. Nature conservation, including wildlife, must therefore receive importance in planning for economic development.

Principle 5 : The non-renewable resources of the earth must be employed in such a way as to guard against the danger of their future exhaustion and to ensure that benefits from such employment are shared by all mankind.

Principle 6 : The discharge of toxic substances or of other substances and the release of heat, in such quantities or concentrations as to exceed the capacity of the environment to render them harmless, must be halted in order to ensure that serious or irreversible damage is not inflicted upon ecosystems. The just struggle of the people of all countries against pollution should be supported.

Principle 7 : States shall take all possible steps to prevent pollution of the seas by substances that are liable to create



hazards to human health, to harm living resources and marine life, to damage amenities or to interfere with other legitimate uses of the sea.

Principle 8 : Economic and social development is essential for ensuring a favourable living and working environment for man and for creating conditions on earth that are necessary for the improvement of the quality of life.

Principle 9 : Environmental deficiencies generated by the conditions of under-development and natural disasters pose grave problems and can best be remedied by accelerated development through the transfer of substantial quantities of financial and technological assistance as a supplement to the domestic effort of the developing countries and such timely assistance as may be required.

Principle 10 : For the developing countries, stability of prices and adequate earnings for primary commodities and raw materials are essential to environmental management since economic factors as well as ecological processes must be taken into account.

Principle 11 : The environmental policies of all States should enhance and not adversely affect the present or future development potential of developing countries, nor should they hamper the attainment of better living conditions for all, and appropriate step should be taken by States and international organizations with a view to reaching agreement on meeting the possible national and international economic consequences resulting from the application of environmental measures.

Principle 12 : Resources should be made available to preserve and improve the environment, taking into account the circumstances and particular requirements of developing countries and costs which may emanate from their incorporating environmental safeguards into their development planning and the need for making available to them, upon their request, additional international, technical and financial assistance for this purpose.

Principle 13 : In order to achieve a more rational management of resources and thus to improve the environment, States should adopt an integrated and co-ordinated approach to their development planning so as to ensure that development is compatible with the need to protect and improve the human environment for the benefit of their population.

PART VI

3

Principle 14 : Rational planning constitutes an essential tool for reconciling any conflict between the needs of development and the need to protect and improve the environment.

Principle 15 : Planning must be applied to human settlements and urbanization with a view to avoiding adverse effects on the environment and obtaining maximum social, economic and environmental benefits for all. In this respect, projects which are designed for colonialist and racist domination must be abandoned.

Principle 16 : Demographic policies which are without prejudice to basic human rights and which are deemed appropriate by Governments concerned should be applied in those regions where the rate of population growth or excessive population concentrations are likely to have adverse effects on the environment or development or where low population density may prevent improvement of the human environment and impede development.

Principle 17 : Appropriate national institutions must be entrusted with the task of planning, managing or controlling the environmental resources of States with the view of enhancing environmental quality.

Principle 18 : Science and technology, as part of their contribution to economic and social development, must be applied to the identification, avoidance and control of environmental risks and the solution of environmental problems and for the common good of mankind.

Principle 19 : Education in environmental matters, for the younger generation as well as adults, giving due consideration to the underprivileged, is essential in order to broaden the basis for an enlightened opinion and responsible conduct by individuals, enterprises and communities in protecting and improving environment in its full human dimensions. It is also essential that mass media of communication avoid contributing to the deterioration of the environment, but, on the contrary, disseminate information of an educational nature, on the need to protect and improve the environment in order to enable man to develop in every respect.

Principle 20 : Scientific research and development in the context of environmental problems, both national and multinational, must be promoted in all countries, especially the developing countries. In this connexion, the free flow of up-to-date scientific information and transfer of experience

must be supported and assisted to facilitate the solution of environmental problems ; environmental technologies should be made available to developing countries on terms which would encourage their wide dissemination without constituting an economic burden on the developing countries.

Principle 21 : States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental policies and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction.

Principle 22 : States shall co-operate to develop further the international law regarding liability and compensation for the victims of pollution and other environmental damage caused by activities within the jurisdiction or control of such States to areas beyond their jurisdiction.

Principle 23 : Without prejudice to such criteria as may be agreed upon by the international community, or to standards which will have to be determined nationally. It will be essential in all cases to consider the systems of values prevailing in each country, and the extent of the applicability of standards which are valid for the most advanced countries but which may be inappropriate and of unwarranted social cost for the developing countries.

Principle 24 : International matters concerning the protection and improvement of the environment should be handled in a co-operative spirit by all countries, big or small, on an equal footing. Co-operation through multilateral or bilateral arrangements or other appropriate means is essential to effectively control, prevent, reduce and eliminate adverse environmental effects resulting from activities conducted in all spheres, in such a way that due account is taken of the sovereignty and interests of all States.

Principle 25 : States shall ensure that international organizations play a co-ordinated, efficient and dynamic role for the protection and improvement of the environment.

Principle 26 : Man and his environment must be spared the effects of nuclear weapons and all other means of mass destruction. States must strive to reach prompt agreement, in the relevant international organs on the elimination and complete destruction of such weapons.



PART VII

ACTS AND REGULATIONS FOR PROTECTION OF THE ENVIRONMENT

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 30th March, 1981/Chaitra 9, 1903 (Saka)

The following Act of Parliament received the assent of the President on the 29th March, 1981, and is hereby published for general information :—

THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981

No. 14 of 1981

The Gazette of India (Extraordinary) Part II Section I
(Page 55 to 80)

[29th March, 1981]

An Act to provide for the prevention, control and abatement of air pollution, for the establishment, with a view to carrying out the aforesaid purposes, of Boards, for conferring on and assigning to such Boards powers and functions relating thereto and for matters connected therewith.

Whereas decisions were taken at the United Nations Conference on the Human Environment held in Stockholm in June, 1972, in which India participated, to take appropriate steps for the preservation of the natural resources of the earth which, among other things, include the preservation of the quality of air and control of air pollution ;

And whereas it is considered necessary to implement the decisions aforesaid in so far as they relate to the preservation of the quality of air and control of air pollution ;

Be it enacted by Parliament in the Thirty-second Year of the Republic of India as follows :—

ENVIRONS

CHAPTER I

Preliminary

1. (1) This Act may be called the Air (Prevention and Control of Pollution) Act, 1981.
- (2) It extends to the whole of India.
- (3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.
2. In this Act, unless the context otherwise requires,—
 - (a) "air pollutant" means any solid, liquid or gaseous substance present in the atmosphere in such concentration as may be or tend to be injurious to human beings or other living creatures or plants or property or environment ;
 - (b) "air pollution" means the presence in the atmosphere of any air pollutant ;
 - (c) "approved appliance" means any equipment or gadget used for the burning of any combustible material or for generating or consuming any fume, gas or particulate matter and approved by the State Board for the purposes of this Act ;
 - (d) "approved fuel" means any fuel approved by the State Board for the purposes of this Act ;
 - (e) "automobile" means any vehicle powered either by internal combustion engine or by any method of generating power to drive such vehicle by burning fuel ;
 - (f) "Board" means the Central Board or a State Board ;
 - (g) "Central Board" means the Central Board for the Prevention and Control of Water Pollution constituted under section 3 of the Water (Prevention and Control of Pollution) Act, 1974 ;
 - (h) "chimney" includes any structure with an opening or outlet from or through which any air pollutant may be emitted ;

PART VII

7

- (i) "control equipment" means any apparatus, device, equipment or system to control the quality and manner of emission of any air pollutant and includes any device used for securing the efficient operation of any industrial plant ;
- (j) "emission" means any solid or liquid or gaseous substance coming out of any chimney, duct or flue or any other outlet ;
- (k) "industrial plant" means any plant used for any industrial or trade purposes and emitting any air pollutant into the atmosphere ;
- (l) "member" means a member of the Central Board or a State Board, as the case may be, and includes the Chairman thereof ;
- (m) "occupier", in relation to any factory or premises, means the person who has control over the affairs of the factory or the premises and where the said affairs are entrusted to a managing agent, such agent shall be deemed to be the occupier of the factory or the premises ;
- (n) "prescribed" means prescribed by rules made under this Act by the Central Government or, as the case may be, the State Government ;
- (o) "State Board" means,—
 - (i) in relation to a State in which the Water (Prevention and Control of Pollution) Act, 1974, is in force and the State Government has constituted for that State a State Board for the Prevention and Control of Water Pollution under section 4 of that Act, the said State Board ; and
 - (ii) in relation to any other State, the State Board for the Prevention and Control of Air Pollution constituted by the State Government under section 5 of this Act.



CHAPTER II

Central and State Boards for the Prevention and Control of Air Pollution

3. The Central Board for the Prevention and Control of Water Pollution constituted under section 3 of the Water (Prevention and Control of Pollution) Act, 1974, shall, without prejudice to the exercise and performance of its powers and functions under that Act, exercise the powers and perform the functions of the Central Board for the Prevention and Control of Air Pollution under this Act.

4. In any State in which the Water (Prevention and Control of Pollution) Act, 1974, is in force and the State Government has constituted for that State a State Board for the Prevention and Control of Water Pollution under section 4 of that Act, such State Board shall be deemed to be the State Board for the Prevention and Control of Air Pollution constituted under section 5 of this Act and accordingly that State Board for the Prevention and Control of Water Pollution shall, without prejudice to the exercise and performance of its powers and functions under that Act, exercise the powers and perform the functions of the State Board for the Prevention and Control of Air Pollution under this Act.

5. (1) In any State in which the Water (Prevention and Control of Pollution) Act, 1974, is not in force, or that Act is in force but the State Government has not constituted a State Board for the Prevention and Control of Water Pollution under that Act, the State Government shall, with effect from such date as it may, by notification in the Official Gazette, appoint, constitute a State Board for the Prevention and Control of Air Pollution under such name as may be specified in the notification, to exercise the powers conferred on, and perform the functions assigned to, that Board under this Act.

(2) A State Board constituted under this Act shall consist of the following members, namely :—

- (a)** a Chairman, being a person having special knowledge or practical experience in respect of matters relating to environmental protection, to be nominated by the State Government :

PART VII**9**

Provided that the Chairman may be either whole-time or part-time as the State Government may think fit ;

- (b) such number of officials, not exceeding five, as the State Government may think fit, to be nominated by the State Government to represent that Government ;
- (c) such number of persons, not exceeding five, as the State Government may think fit, to be nominated by the State Government from amongst the members of the local authorities functioning within the State ;
- (d) such number of non-officials, not exceeding three, as the State Government may think fit, to be nominated by the State Government to represent the interest of agriculture, fishery or industry or trade or labour or any other interest, which, in the opinion of that Government, ought to be represented ;
- (e) two persons to represent the companies or corporations owned, controlled or managed by the State Government, to be nominated by that Government ;
- (f) a full-time member-secretary having practical experience in respect of matters relating to environmental protection and having administrative experience, to be appointed by the State Government ;

Provided that the State Government shall ensure that not less than two of the members are persons having special knowledge or practical experience in respect of matters relating to the improvement of the quality of air or the prevention, control or abatement of air pollution.

(3) Every State Board constituted under this Act, shall be a body corporate with the name specified by the State Government in the notification issued under sub-section (1), having perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire and dispose of property and to contract, and may by the said name sue or be sued.

6. No State^e Board shall be constituted for a Union territory and in relation to a Union territory, the Central Board shall exercise the powers and perform the functions of a State Board under this Act for that Union territory :

Provided that in relation to any Union territory the Central Board may delegate all or any of its powers and functions under this section to such person or body of persons as the Central Government may specify.

7. (1) Save as otherwise provided by or under this Act, a member of a State Board constituted under this Act, other than the member-secretary, shall hold office for a term of three years from the date on which his nomination is notified in the Official Gazette :

Provided that a member shall, notwithstanding the expiration of his term, continue to hold office until his successor enters upon his office.

(2) The term of office of a member of a State Board constituted under this Act and nominated under clause (b) or clause (e) of sub-section (2) of section 5 shall come to an end as soon as he ceases to hold the office under the State Government or, as the case may be, the company or corporation owned, controlled or managed by the State Government, by virtue of which he was nominated.

(3) A member of a State Board constituted under this Act, other than the member-secretary, may at any time resign his office by writing under his hand addressed,—

(a) in the case of the Chairman, to the State Govt. ; and

(b) in any other case, to the Chairman of the State Board, and the seat of the Chairman or such other member shall thereupon become vacant.

(4) A member of a State Board constituted under this Act, other than the member-secretary, shall be deemed to have vacated his seat, if he is absent without reason, sufficient in the opinion of the State Board, from three consecutive meetings of the State Board or where he is nominated under clause (c) of sub-section (2) of section 5, he ceases to be a member of the local authority and such vacation of seat shall, in either case, take effect from such date as the State Government may, by notification in the Official Gazette, specify.

(5) A casual vacancy in a State Board constituted under this Act shall be filled by a fresh nomination and the person nominated to fill the vacancy shall hold office only for the

PART VII**11**

remainder of the term for which the member whose place he takes was nominated.

(6) A member of a State Board constituted under this Act shall be eligible for re-nomination but not for more than two terms.

(7) The other terms and conditions of service of the Chairman and other members (except the member-secretary) of a State Board constituted under this Act shall be such as may be prescribed.

8. (1) No person shall be a member of a State Board constituted under this Act, who—

- (a) is, or at any time has been, adjudged insolvent, or
- (b) is of unsound mind and has been so declared by a competent court, or
- (c) is, or has been, convicted of an offence which, in the opinion of the State Government, involves moral turpitude, or
- (d) is, or at any time has been, convicted of an offence under this Act, or
- (e) has directly or indirectly by himself or by any partner, any share or interest in any firm or company carrying on the business of manufacture, sale, or hire of machinery, industrial plant, control equipment or any other apparatus for the improvement of the quality of air or for the prevention control or abatement of air pollution, or
- (f) is a director or a secretary, manager or other salaried officer or employee of any company or firm having any contract with the Board, or with the Government constituting the Board or with a local authority in the State, or with a company or corporation owned, controlled or managed by the Government, for the carrying out of programmes for the improvement of the quality of air or for the prevention, control or abatement of air pollution, or
- (g) has so abused, in the opinion of the State Government, his position as a member, as to render his



continuance or the State Board detrimental to the interests of the general public.

(2) The State Government shall, by order in writing, remove any member who is, or has become, subject to any disqualification mentioned in sub-section (1) :

Provided that no order of removal shall be made by the State Government under this section unless the member concerned has been given a reasonable opportunity of showing cause against the same.

(3) Notwithstanding anything contained in sub-section (1) or sub-section (6) of section 7, a member who has been removed under this section shall not be eligible to continue to hold office until his successor enters upon his office, or, as the case may be, for re-nomination as a member.

9. If a member of a State Board constituted under this Act becomes subject to any of the disqualifications specified in section 8, his seat shall become vacant.

10. (1) For the purpose of this Act, a Board shall meet at least once in every three months and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be prescribed :

Provided that if, in the opinion of the Chairman, any business of an urgent nature is to be transacted, he may convene a meeting of the Board at such time as he thinks fit for the aforesaid purpose.

(2) Copies of the minutes of the meetings under sub-section (1) shall be forwarded to the Central Board and to the State Government concerned.

11. (1) A Board may constitute as many committees consisting wholly of members or partly of members and partly of other persons and for such purpose or purposes as it may think fit.

(2) A committee constituted under this section shall meet at such time and at such place, and shall observe such rules of procedure in regard to the transaction of business at its meetings, as may be prescribed.

PART VII

13

(3) The members of a committee other than the members of the Board shall be paid such fees and allowances, for attending its meetings and for attending to any other work of the Board as may be prescribed.

12. (1) A Board may associate with itself in such manner, and for such purposes, as may be prescribed, any person whose assistance or advice it may desire to obtain in performing any of its functions under this Act.

(2) A person associated with the Board under sub-section (1) for any purpose shall have a right to take part in the discussions of the Board relevant to that purpose, but shall not have a right to vote at a meeting of the Board and shall not be a member of the Board for any other purpose.

(3) A person associated with a Board under sub-section (1) shall be entitled to receive such fees and allowances as may be prescribed.

13. No act or proceeding of a Board or any committee thereof shall be called in question on the ground merely of the existence of any vacancy in, or any defect in the constitution of, the Board or such committee, as the case may be.

14. (1) The terms and conditions of service of the member secretary of a State Board constituted under this Act shall be such as may be prescribed.

(2) The member-secretary of a State Board, whether constituted under this Act or not, shall exercise such powers and perform such duties as may be prescribed.

(3) Subject to such rules as may be made by the State Government in this behalf, a State Board, whether constituted under this Act or not, may appoint such officers and other employees as it considers necessary for the efficient performance of its functions under this Act.

(4) The method of appointment, the conditions of service and the scales of pay of the officers (other than the member-secretary) and other employees of a State Board appointed under sub-section (3) shall be such as may be determined by regulations made by the State Board under this Act.

(5) Subject to such conditions as may be prescribed, a State Board constituted under this Act may from time to time appoint any qualified person to be a consultant to the Board and pay him such salary and allowances or fees, as it thinks fit.

15. A State Board may, by general or special order, delegate to the Chairman or the member-secretary or any other officer of the Board subject to such conditions and limitations, if any, as may be specified in the order, such of its powers and functions under this Act as it may deem necessary.

CHAPTER III

Powers and Functions of Boards

16. (1) Subject to the provisions of this Act, and without prejudice to the performance of its functions under the Water (Prevention and Control of Pollution) Act, 1974, the main functions of the Central Board shall be to improve the quality of air and to prevent, control or abate air pollution in the country.

(2) In particular and without prejudice to the generality of the foregoing functions, the Central Board may—

- (a) advise the Central Government on any matter concerning the improvement of the quality of air and the prevention, control or abatement of air pollution ;
- (b) plan and cause to be executed a nation-wide programme for the prevention, control or abatement of air pollution ;
- (c) co-ordinate the activities of the State Boards and resolve disputes among them ;
- (d) provide technical assistance and guidance to the State Boards, carry out and sponsor investigations and research relating to problems of air pollution and prevention, control or abatement of air pollution ;
- (e) plan and organise the training of persons engaged or to be engaged in programmes for the prevention, control or abatement of air pollution on such terms and conditions as the Central Board may specify ;

- (f) organise through mass media a comprehensive programme regarding the prevention, control or abatement of air pollution ;
 - (g) collect, compile and publish technical and statistical data relating to air pollution and the measures devised for its effective prevention, control or abatement and prepare manuals, codes or guides relating to prevention, control or abatement of air pollution ;
 - (h) lay down standards for the quality of air ;
 - (i) collect and disseminate information in respect of matters relating to air pollution ;
 - (j) perform such other functions as may be prescribed.
- (3) The Central Board may establish or recognise a laboratory or laboratories to enable the Central Board to perform its functions under this section efficiently.
- (4) The Central Board may—
- (a) delegate any of its functions under this Act generally or specially to any of the committees appointed by it ;
 - (b) do such other things and perform such other acts as it may think necessary for the proper discharge of its functions and generally for the purpose of carrying into effect the purposes of this Act.

17. (1) Subject to the provisions of this Act, and without prejudice to the performance of its functions, if any, under the Water (Prevention and Control of Pollution) Act, 1974, the functions of a State Board shall be—

- (a) to plan a comprehensive programme for the prevention, control or abatement of air pollution and to secure the execution thereof ;
- (b) to advise the State Government on any matter concerning the prevention, control or abatement of air pollution ;
- (c) to collect and disseminate information relating to air pollution ;

- (d) to collaborate with the Central Board in organising the training of persons engaged or to be engaged in programmes relating to prevention, control or abatement of air pollution and to organise mass-education programme relating thereto ;
- (e) to inspect, at all reasonable times, any control equipment, industrial plant or manufacturing process and to give, by order, such directions to such persons as it may consider necessary to take steps for the prevention, control or abatement of air pollution ;
- (f) to inspect air pollution control areas at such intervals as it may think necessary, assess the quality of air therein and take steps for the prevention, control or abatement of air pollution in such areas ;
- (g) to lay down, in consultation with the Central Board and having regard to the standards for the quality of air laid down by the Central Board, standards for emission of air pollutants into the atmosphere from industrial plants and automobiles or for the discharge of any air pollutant into the atmosphere from any other source whatsoever not being a ship or an aircraft :

Provided that different standards for emission may be laid down under this clause for different industrial plants having regard to the quantity and composition of emission of air pollutants into the atmosphere from such industrial plants ;

- (h) to advise the State Government with respect to the suitability of any premises or location for carrying on any industry which is likely to cause air pollution ;
- (i) to perform such other functions as may be prescribed or as may, from time to time, be entrusted to it by the Central Board or the State Government ;
- (j) to do such other things and to perform such other acts as it may think necessary for the proper discharge of its functions and generally for the purpose of carrying into effect the purposes of this Act.

(2) A State Board may establish or recognise a laboratory or laboratories to enable the State Board to perform its functions under this section efficiently.

18. In the performance of its functions under this Act—

- (a) the Central Board shall be bound by such directions in writing as the Central Government may give to it ; and
- (b) every State Board shall be bound by such directions in writing as the Central Board or the State Government may give to it :

Provided that where a direction given by the State Government is inconsistent with the direction given by the Central Board, the matter shall be referred to the Central Government for its decision.

CHAPTER IV

Prevention and Control of Air Pollution

19. (1) The State Government may, after consultation with the State Board, by notification in the Official Gazette, declare in such manner as may be prescribed, any area or areas within the State as air pollution control area or areas for the purposes of this Act.

(2) The State Government may, after consultation with the State Board, by notification in the Official Gazette,—

- (a) alter any air pollution control area whether by way of extension or reduction ;
- (b) declare a new air pollution control area in which may be merged one or more existing air pollution control areas or any part or parts thereof.

(3) If the State Government, after consultation with the State Board, is of opinion that the use of any fuel, other than an approved fuel, in any air pollution control area or part thereof, may cause or is likely to cause air pollution, it may, by notification in the Official Gazette, prohibit the use of such fuel in such area or part thereof with effect from such date (being not less than three months from the date of publication of the notification) as may be specified in the notification.

(4) The State Government may, after consultation with the State Board, by notification in the Official Gazette, direct

that with effect from such date as may be specified therein, no appliance, other than an approved appliance, shall be used in the premises situated in an air pollution control area :

Provided that different dates may be specified for different parts of an air pollution control area or for the use of different appliances.

(5) If the State Government, after consultation with the State Board, is of opinion that the burning of any material (not being fuel) in any air pollution control area or part thereof may cause or is likely to cause air pollution, it may, by notification in the Official Gazette, prohibit the burning of such material in such area or part thereof.

20. With a view to ensuring that the standards for emission of air pollutants from automobiles laid down by the State Board under clause (g) of sub-section (1) of section 17 are complied with, the State Government shall, in consultation with the State Board, give such instructions as may be deemed necessary to the concerned authority in charge of registration of motor vehicles under the Motor Vehicles Act, 1939, and such authority shall, notwithstanding anything contained in that Act or the rules made thereunder be bound to comply with such instructions.

21. (1) Subject to the provisions of this section, no person shall, without the previous consent of the State Board, operate any industrial plant for the purpose of any industry specified in the Schedule in an air pollution control area.

(2) An application for consent of the State Board under sub-section (1) shall be accompanied by such fees as may be prescribed and shall be made in the prescribed form and shall contain the particulars of the industrial plant and such other particulars as may be prescribed :

Provided that where any person, immediately before the declaration of any area as an air pollution control area, operates in such area any industrial plant for the purpose of any industry specified in the Schedule, such person shall make the application under this sub-section within such period (being not less than three months from the date of such declaration) as may be prescribed and where such person makes such application, he shall be deemed to be operating such industrial plant with the consent of the State Board until the consent applied for has been refused,

PART VII

19

(3) The State Board may make such inquiry as it may deem fit in respect of the application for consent referred to in sub-section (1) and in making any such inquiry, shall follow such procedure as may be prescribed.

(4) Within a period of four months after the receipt of the application for consent referred to in sub-section (1), the State Board shall, by order in writing, either grant or refuse, for reasons to be recorded in the order, the consent applied for.

(5) Every person to whom consent has been granted by the State Board under sub-section (4), shall comply with the following conditions, namely :—

- (i) the control equipment of such specifications as the State Board may approve in this behalf shall be installed and operated in the premises where the industry is carried on or proposed to be carried on ;
- (ii) the existing control equipment, if any, shall be altered or replaced in accordance with the directions of the State Board ;
- (iii) the control equipment referred to in clause (i) or clause (ii) shall be kept at all times in good running condition ;
- (iv) chimney, wherever necessary, of such specifications as the State Board may approve in this behalf shall be erected or re-erected in such premises ;
- (v) such other conditions as the State Board may specify in this behalf ; and
- (vi) the conditions referred to in clauses (i), (ii), and (iv) shall be complied with within such period as the State Board may specify in this behalf :

Provided that in the case of a person operating any industrial plant for the purpose of any industry specified in the Schedule in an air pollution control area immediately before the date of declaration of such area as an air pollution control area, the period so specified shall not be less than six months ;



Provided further that—

- (a) after the installation of any control equipment in accordance with the specifications under clause (i), or
- (b) after the alteration or replacement of any control equipment in accordance with the directions of the State Board under clause (ii), or
- (c) after the erection or re-erection of any chimney under clause (iv),

no control equipment or chimney shall be altered or replaced or, as the case may be, erected or re-erected except with the previous approval of the State Board.

(6) If due to any technological improvement or otherwise the State Board is of opinion that all or any of the conditions referred to in sub-section (5) require or requires variation (including the change of any control equipment, either in whole or in part), the State Board shall, after giving the person to whom consent has been granted an opportunity of being heard, vary all or any of such conditions and thereupon such person shall be bound to comply with the conditions as so varied.

(7) Where a person to whom consent has been granted by the State Board under sub-section (4) transfers his interest in the industry to any other person, such consent shall be deemed to have been granted to such other person and he shall be bound to comply with all the conditions subject to which it was granted as if the consent was granted to him originally.

22. No person carrying on any industry specified in the Schedule or operating any industrial plant, in any air pollution control area shall discharge or cause or permit to be discharged the emission of any air pollutant in excess of the standards laid down by the State Board under clause (g) of sub-section (1) of section 17.

23. (1) Where in any air pollution control area the emission of any air pollutant into the atmosphere in excess of the standards laid down by the State Board occurs or is apprehended to occur due to accident or other unforeseen act or event, the person in charge of the premises from where such emission occurs or is apprehended to occur

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shall forthwith intimate the fact of such occurrence or the apprehension of such occurrence to the State Board and to such authorities or agencies as may be prescribed.

(2) On receipt of information with respect to the fact or the apprehension of any occurrence of the nature referred to in sub-section (1), whether through intimation under that sub-section or otherwise, the State Board and the authorities or agencies shall, as early as practicable, cause such remedial measures to be taken as are necessary to mitigate the emission of such air pollutants.

(3) Expenses, if any, incurred by the State Board, authority or agency with respect to the remedial measures referred to in sub-section (2) together with interest (at such reasonable rate, as the State Government may, by order, fix) from the date when a demand for the expenses is made until it is paid, may be recovered by that Board, authority or agency from the person concerned, as arrears of land revenue, or of public demand.

24. (1) Subject to the provisions of this section, any person empowered by a State Board in this behalf shall have a right to enter, at all reasonable times with such assistance as he considers necessary, any place—

- (a) for the purpose of performing any of the functions of the State Board entrusted to him ;
- (b) for the purpose of determining whether and if so in what manner, any such functions are to be performed or whether any provisions of this Act or the rules made thereunder or any notice, order, direction or authorisation served, made, given or granted under this Act is being or has been complied with ;
- (c) for the purpose of examining and testing any control equipment, industrial plant, record, register, document or any other material object or for conducting a search of any place in which he has reason to believe that an offence under this Act or the rules made thereunder has been or is being or is about to be committed and for seizing any such control equipment, industrial plant, record, register, document or other material object if he has reasons to believe that it may furnish evidence of the commission of an offence punishable under this Act or the rules made thereunder.

69477

(2) Every person carrying on any industry specified in the Schedule and every person operating any control equipment or any industrial plant, in an air pollution control area shall be bound to render all assistance to the person empowered by the State Board under sub-section (1) for carrying out the functions under that sub-section and if he fails to do so without any reasonable cause or excuse, he shall be guilty of an offence under this Act.

(3) If any person wilfully delays or obstructs any person empowered by the State Board under sub-section (1) in the discharge of his duties, he shall be guilty of an offence under this Act.

(4) The provisions of the Code of Criminal Procedure, 1973, or, in relation to the State of Jammu and Kashmir, or any area in which that Code is not in force, the provisions of any corresponding law in force in that State or area, shall, so far as may be, apply to any search or seizure under this section as they apply to any search or seizure made under the authority of a warrant issued under section 94 of the said Code or, as the case may be, under the corresponding provisions of the said law.

25. For the purposes of carrying out the functions entrusted to it, the State Board or any officer empowered by it in that behalf may call for any information (including information regarding the types of air pollutants emitted into the atmosphere and the level of the emission of such air pollutants) from the occupier or any other person carrying on any industry or operating any control equipment or industrial plant and for the purpose of verifying the correctness of such information, the State Board or such officer shall have the right to inspect the premises where such industry, control equipment or industrial plant is being carried on or operated.

26. (1) A State Board or any officer empowered by it in this behalf shall have power to take, for the purpose of analysis, samples of air or emission from any chimney, flue or duct or any other outlet in such manner as may be prescribed.

(2) The result of any analysis of a sample of emission taken under sub-section (1) shall not be admissible in evidence in any legal proceeding unless the provisions of sub-sections (3) and (4) are complied with.

(3) Subject to the provisions of sub-section (4), when a sample of emission is taken for analysis under sub-section (1), the person taking the sample shall—

- (a) serve on the occupier or his agent, a notice, then and there, in such form as may be prescribed, of his intention to have it so analysed ;
- (b) in the presence of the occupier or his agent, collect a sample of emission for analysis ;
- (c) cause the sample to be placed in a container or containers which shall be marked and sealed and shall also be signed both by the person taking the sample and the occupier or his agent ;
- (d) send, without delay, the container or containers to the laboratory established or recognised by the State Board under section 17 or, if a request in that behalf is made by the occupier or his agent when the notice is served on him under clause (a), to the laboratory established or specified under sub-section (1) of section 28.

(4) When a sample of emission is taken for analysis under sub-section (1) and the person taking the sample serves on the occupier or his agent, a notice under clause (a) of sub-section (3), then,—

- (a) in a case where the occupier or his agent wilfully absents himself, the person taking the sample shall collect the sample of emission for analysis to be placed in a container or containers which shall be marked and sealed and shall also be signed by the person taking the sample, and
- (b) in a case where the occupier or his agent is present at the time of taking the sample but refuses to sign the marked and sealed container or containers of the sample of emission as required under clause (c) of sub-section (3), the marked and sealed container or containers shall be signed by the person taking the sample,

and the container or containers shall be sent without delay by the person taking the sample for analysis to the laboratory established or specified under sub-section (1) of section 28

and such person shall inform the Government analyst appointed under sub-section (1) of section 29, in writing, about the wilful absence of the occupier or his agent, or, as the case may be, his refusal to sign the container or containers.

27. (1) Where a sample of emission has been sent for analysis to the laboratory established or recognised by the State Board, the Board analyst appointed under sub-section (2) of section 29 shall analyse the sample and submit a report in the prescribed form of such analysis in triplicate to the State Board.

(2) On receipt of the report under sub-section (1), one copy of the report shall be sent by the State Board to the occupier or his agent referred to in section 26, another copy shall be preserved for production before the court in case any legal proceedings are taken against him and the other copy shall be kept by the State Board.

(3) Where a sample has been sent for analysis under clause (d) of sub-section (3) or sub-section (4) of section 26 to any laboratory mentioned therein, the Government analyst referred to in the said sub-section (4) shall analyse the sample and submit a report in the prescribed form of the result of the analysis in triplicate to the State Board which shall comply with the provisions of sub-section (2).

(4) Any cost incurred in getting any sample analysed at the request of the occupier or his agent as provided in clause (d) of sub-section (3) of section 26 or when he wilfully absents himself or refuses to sign the marked and sealed container or containers of sample of emission under sub-section (4) of that section, shall be payable by such occupier or his agent and in case of default the same shall be recoverable from him as arrears of land revenue or of public demand.

28. (1) The State Government may, by notification in the Official Gazette,—

- (a) establish one or more State Air Laboratories ; or
- (b) specify one or more laboratories or institutes as State Air Laboratories to carry out the functions entrusted to the State Air Laboratory under this Act.

(2) The State Government may, after consultation with the State Board, make rules prescribing—

- (a) the functions of the State Air Laboratory ;
- (b) the procedure for the submission to the said Laboratory of samples of air or emission for analysis or tests, the form of the Laboratory's report thereon and the fees payable in respect of such report ;
- (c) such other matters as may be necessary or expedient to enable that Laboratory to carry out its functions.

29. (1) The State Government may, by notification in the Official Gazette, appoint such persons as it thinks fit and having the prescribed qualifications to be Government analysts for the purpose of analysis of samples of air or emission sent for analysis to any laboratory established or specified under sub-section (1) of section 28.

(2) Without prejudice to the provisions of section 14, the State Board may, by notification in the Official Gazette, and with the approval of the State Government, appoint such persons as it thinks fit and having the prescribed qualifications to be Board analysts for the purpose of analysis of samples of air or emission sent for analysis to any laboratory established or recognised under section 17.

30. Any document purporting to be a report signed by a Government analyst or, as the case may be, a State Board analyst may be used as evidence of the facts stated therein in any proceeding under this Act.

31. (1) Any person aggrieved by an order made by the State Board under this Act may, within thirty days from the date on which the order is communicated to him, prefer an appeal to such authority (hereinafter referred to as the Appellate Authority) as the State Government may think fit to constitute :

Provided that the Appellate Authority may entertain the appeal after the expiry of the said period of thirty days if such authority is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) The Appellate Authority shall consist of a single person or three persons as the State Government may think fit to be appointed by the State Government.



(3) The form and the manner in which an appeal may be preferred under sub-section (1), the fees payable for such appeal and the procedure to be followed by the Appellate Authority shall be such as may be prescribed.

(4) On receipt of an appeal preferred under sub-section (1), the Appellate Authority shall, after giving the appellant and the State Board an opportunity of being heard, dispose of the appeal as expeditiously as possible.

CHAPTER V

Fund, Accounts and Audit

32. The Central Government may, after due appropriation made by Parliament by law in this behalf, make in each financial year such contributions to the State Boards as it may think necessary to enable the State Boards to perform their functions under this Act :

Provided that nothing in this section shall apply to any State Board for the Prevention and Control of Water Pollution constituted under section 4 of the Water (Prevention and Control of Pollution) Act, 1974, which is empowered by that Act, to expend money from its fund thereunder also for performing its functions, under any law for the time being in force relating to the prevention, control or abatement of air pollution.

33. (1) Every State Board shall have its own fund for the purposes of this Act and all sums which may, from time to time, be paid to it by the Central Government and all other receipts (by way of contributions, if any, from the State Government, fees, gifts, grants, donations, benefactions or otherwise) of that Board shall be carried to the fund of the Board and all payments by the Board shall be made therefrom.

(2) Every State Board may expend such sums as it thinks fit for performing its functions under this Act and such sums shall be treated as expenditure payable out of the fund of that Board.

(3) Nothing in this section shall apply to any State Board for the Prevention and Control of Water Pollution constituted under section 4 of the Water (Prevention and Control of Pollution) Act, 1974, which is empowered by that Act to

expend money from its fund thereunder also for performing its functions, under any law for the time being in force relating to the prevention, control or abatement of air pollution.

34. The Central Board or, as the case may be, the State Board shall, during each financial year, prepare, in such form and at such time as may be prescribed, a budget in respect of the financial year next ensuing showing the estimated receipt and expenditure under this Act, and copies thereof shall be forwarded to the Central Government or, as the case may be, the State Government.

35. (1) The Central Board shall, during each financial year, prepare, in such form and at such time as may be prescribed, an annual report giving full account of its activities under this Act during the previous financial year and copies thereof shall be forwarded to the Central Government and that Government shall cause every such report to be laid before both Houses of Parliament within six months of the date on which it is received by that Government.

(2) Every State Board shall, during each financial year, prepare, in such form and at such time as may be prescribed, an annual report giving full account of its activities under this Act during the previous financial year and copies thereof shall be forwarded to the State Government and that Government shall cause every such report to be laid before the State Legislature within a period of nine months of the date on which it is received by that Government.

36. (1) Every Board shall, in relation to its functions under this Act, maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed by the Central Government or, as the case may be, the State Government.

(2) The accounts of the Board shall be audited by an auditor duly qualified to act as an auditor of companies under section 226 of the Companies Act, 1956.

(3) The said auditor shall be appointed by the Central Government or, as the case may be, the State Government on the advice of the Comptroller and Auditor-General of India.

(4) Every auditor appointed to audit the accounts of the Board under this Act shall have the right to demand the

production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Board.

(5) Every such auditor shall send a copy of his report together with an audited copy of the accounts to the Central Government or, as the case may be, the State Government.

(6) The Central Government shall, as soon as may be after the receipt of the audit report under sub-section (5) cause the same to be laid before both Houses of Parliament.

(7) The State Government shall, as soon as may be after the receipt of the audit report under sub-section (5), cause the same to be laid before State Legislature.

CHAPTER VI

Penalties and Procedure

37. (1) Whoever fails to comply with the provisions of sub-section (5) of section 21 or section 22 or with any order or direction given under this Act shall, in respect of each such failure, be punishable with imprisonment for a term which may extend to three months or with fine which may extend to ten thousand rupees, or with both, and in case the failure continues, with an additional fine which may extend to one hundred rupees for every day during which such failure continues after the conviction for the first such failure.

(2) If the failure referred to in sub-section (1) continues beyond a period of one year after the date of conviction, the offender shall be punishable with imprisonment for a term which may extend to six months.

38. Whoever—

- (a) destroys, pulls down, removes, injures or defaces any pillar, post or stake fixed in the ground or any notice or other matter put up, inscribed or placed, by or under the authority of the Board, or
- (b) obstructs any person acting under the orders or directions of the Board from exercising his powers and performing his functions under this Act, or

- (c) damages any works or property belonging to the Board, or
 - (d) fails to furnish to the Board or any officer or other employee of the Board any information required by the Board or such officer or other employee for the purpose of this Act, or
 - (e) fails to intimate the occurrence of the emission of air pollutants into the atmosphere in excess of the standards laid down by the State Board or the apprehension of such occurrence, to the State Board and other prescribed authorities or agencies as required under sub-section (1) of section 23, or
 - (f) in giving any information which he is required to give under this Act, makes a statement which is false in any material particular, or
 - (g) for the purpose of obtaining any consent under section 21, makes a statement which is false in any material particular,
- shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to five hundred rupees or with both.

39. Whoever contravenes any of the provisions of this Act, for which no penalty has been elsewhere provided in this Act, shall be punishable with fine which may extend to five thousand rupees, and in the case of continuing contravention, with an additional fine which may extend to one hundred rupees for every day during which such contravention continues after conviction for the first such contravention.

40. (1) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was directly in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly :

Provided that nothing contained in this sub-section shall render any such *person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.



(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation—For the purposes of this section,—

- (a) “company” means any body corporate, and includes a firm or other association of individuals ; and
- (b) “director”, in relation to a firm, means a partner in the firm.

41. (1) Where an offence under this Act has been committed by any Department of Government, the Head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly :

Provided that nothing contained in this section shall render such Head of the Department liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a Department of Government and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any officer, other than the Head of the Department, such officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

42. No suit, prosecution or other legal proceeding shall lie against the Government or any officer of the Government or any member or any officer or other employee of the Board in respect of anything which is done or intended to be done in good faith in pursuance of this Act or the rules made thereunder,

PART VII

31

43. No court shall take cognizance of any offence under this Act except on a complaint made by, or with the previous sanction in writing of, the State Board, and no court inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the first class shall try any offence punishable under this Act.

44. All the members and all officers and other employees of a Board when acting or purporting to act in pursuance of any of the provisions of this Act or the rules made thereunder shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

45. The Central Board shall, in relation to its functions under this Act, furnish to the Central Government, and a State Board shall, in relation to its functions under this Act, furnish to the State Government and to the Central Board such reports, returns, statistics, accounts and other information as that Government, or, as the case may be, the Central Board may, from time to time, require.

46. No civil court shall have jurisdiction to entertain any suit or proceeding in respect of any matter which an Appellate Authority constituted under this Act is empowered by or under this Act to determine, and no injunction shall be granted by any court or other authority in respect of any action taken or to be taken in pursuance of any power conferred by or under this Act.

CHAPTER VII

Miscellaneous

47. (1) If at any time the State Government is of opinion—

- (a) that a State Board constituted under this Act has persistently made default in the performance of the functions imposed on it by or under this Act, or
- (b) that circumstances exist which render it necessary in the public interest so to do,

the State Government may, by notification in the Official Gazette, supersede the State Board for such period, not exceeding six months, as may be specified in the notification ;

Provided that before issuing a notification under this sub-section for the reasons mentioned in clause (a), the State Government shall give a reasonable opportunity to the State Board to show cause why it should not be superseded and shall consider the explanations and objections if any, of the State Board.

(2) Upon the publication of a notification under sub-section (1) superseding the State Board,—

- (a) all the members shall, as from the date of supersession, vacate their offices as such ;
- (b) all the powers, functions and duties which may, by or under this Act, be exercised, performed or discharged by the State Board shall, until the State Board is reconstituted under sub-section (3), be exercised, performed or discharged by such person or persons as the State Government may direct ;
- (c) all property owned or controlled by the State Board shall, until the Board is reconstituted under sub-section (3), vest in the State Government.

(3) On the expiration of the period of supersession specified in the notification issued under sub-section (1), the State Government may—

- (a) extend the period of supersession for such further term, not exceeding six months, as it may consider necessary ; or
- (b) reconstitute the State Board by a fresh nomination or appointment, as the case may be, and in such case any person who vacated his office under clause (a) of sub-section (2) shall also be eligible for nomination or appointment ;

Provided that the State Government may at any time before the expiration of the period of supersession, whether originally specified under sub-section (1) or as extended under this sub-section, take action under clause (b) of this sub-section.

48. Where the Central Board or any State Board constituted under the Water (Prevention and Control of Pollution) Act, 1974, is superseded by the Central Government or the State Government, as the case may be, under that Act, all the

Powers, functions and duties of the Central Board or such State Board under this Act shall be exercised, performed or discharged during the period of such supersession by the person or persons, exercising, performing or discharging the powers, functions and duties of the Central Board or such State Board under the Water (Prevention and Control of Pollution) Act, 1974, during such period.

49. (1) As and when the Water (Prevention and Control of Pollution) Act, 1974, comes into force in any State and the State Government constitutes a State Board for the Prevention and Control of Water Pollution under that Act, the State Board constituted by the State Government under this Act shall stand dissolved and the Board first-mentioned shall exercise the powers and perform the functions of the Board second-mentioned in that State.

(2) On the dissolution of the State Board constituted under this Act,—

- (a)** all the members shall vacate their offices as such ;
- (b)** all moneys and other property of whatever kind (including the fund of the State Board) owned by, or vested in, the State Board, immediately before such dissolution, shall stand transferred to and vest in the State Board for the Prevention and Control of Water Pollution ;
- (c)** every officer and other employee serving under the State Board immediately before such dissolution shall be transferred to and become an officer or other employee of the State Board for the Prevention and Control of Water Pollution and hold office by the same tenure and at the same remuneration and on the same terms and conditions of service as he would have held the same if the State Board constituted under this Act had not been dissolved and shall continue to do so unless and until such tenure, remuneration and terms and conditions of service are duly altered by the State Board for the Prevention and Control of Water Pollution :

Provided that the tenure, remuneration and terms and conditions of service of any such officer or other employee shall not be altered to his disadvantage

without the previous sanction of the State Government ;

- (d) all liabilities and obligations of the State Board of whatever kind, immediately before such dissolution, shall be deemed to be the liabilities or obligations, as the case may be, of the State Board for the Prevention and Control of Water Pollution and any proceeding or cause of action, pending or existing immediately before such dissolution by or against the State Board constituted under this Act in relation to such liability or obligation may be continued and enforced by or against the State Board for the Prevention and Control of Water Pollution.

50. (1) The Central Government may, of its own motion or on the recommendation of a Board, by notification in the Official Gazette, add to, or omit from, the Schedule any industry or alter the description of any industry and thereupon the Schedule shall be deemed to be amended accordingly.

(2) Every notification made under sub-section (1) shall be laid, as soon as may be after it is made, before each House of Parliament.

51. (1) Every State Board shall maintain a register containing particulars of the persons to whom consent has been granted under section 21, the standards for emission laid down by it in relation to each such consent and such other particulars as may be prescribed.

(2) The register maintained under sub-section (1) shall be open to inspection at all reasonable hours by any person interested in or affected by such standards for emission or by any other person authorised by such person in this behalf.

52. Save as otherwise provided by or under the Atomic Energy Act, 1962, in relation to radioactive air pollution the provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act.

53. (1) The Central Government may, in consultation with the Central Board, by notification in the Official Gazette, make rules in respect of the following matters, namely :—

- (a) the intervals and the time and place at which meetings of the Central Board or any committee thereof shall be held and the procedure to be followed at such meetings, including the quorum necessary for the transaction of business thereat, under sub-section (1) of section 10 and under sub-section (2) of section 11 ;
- (b) the fees and allowances to be paid to the members of a committee of the Central Board, not being members of the Board, under sub-section (3) of section 11 ;
- (c) the manner in which and the purposes for which persons may be associated with the Central Board under sub-section (1) of section 12 ;
- (d) the fees and allowances to be paid under sub-section (3) of section 12 to persons associated with the Central Board under sub-section (1) of section 12 ;
- (e) the functions to be performed by the Central Board under clause (j) of sub-section (2) of section 16 ;
- (f) the form in which and the time within which the budget and the annual report of the Central Board may be prepared and forwarded to the Central Government under sections 34 and 35 ;
- (g) the form in which the accounts of the Central Board may be maintained under sub-section (1) of section 36.

(2) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be ; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

54. (1) Subject to the provisions of sub-section (3), the State Government may, by notification in the Official

Gazette, make rules to carry out the purposes of this Act in respect of matters not falling within the purview of section 53.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :—

- (a) the terms and conditions of service of the Chairman and other members (other than the member-secretary) of the State Board constituted under this Act under sub-section (7) of section 7 ;
- (b) the intervals and the time and place at which meetings of the State Board or any committee thereof shall be held and the procedure to be followed at such meetings, including the quorum necessary for the transaction of business thereat, under sub-section (1) of section 10 and under sub-section (2) of section 11 ;
- (c) the fees and allowances to be paid to the members of a committee of the State Board, not being members of the Board under sub-section (3) of section 11 ;
- (d) the manner in which and the purposes for which persons may be associated with the State Board under sub-section (1) of section 12 ;
- (e) the fees and allowances to be paid under sub-section (3) of section 12 to persons associated with the State Board under sub-section (1) of section 12 ;
- (f) the terms and conditions of service of the member-secretary of a State Board constituted under this Act under sub-section (1) of section 14 ;
- (g) the powers and duties to be exercised and discharged by the member-secretary of a State Board under sub-section (2) of section 14 ;
- (h) the conditions subject to which a State Board may appoint such officers and other employees as it considers necessary for the efficient performance of its functions under sub-section (3) of section 14 ;
- (i) the conditions subject to which a State Board may appoint a consultant under sub-section (5) of section 14 ;

PART VII

37

- (j) the functions to be performed by the State Board under clause (i) of sub-section (1) of section 17 ;
- (k) the manner in which any area or areas may be declared as air pollution control area or areas under sub-section (1) of section 19 ;
- (l) the form of application for the consent of the State Board, the fees payable therefor, the period within which such application shall be made and the particulars it may contain, under sub-section (2) of section 21 ;
- (m) the procedure to be followed in respect of an inquiry under sub-section (3) of section 21 ;
- (n) the authorities or agencies to whom information under sub-section (1) of section 23 shall be furnished ;
- (o) the manner in which samples of air or emission may be taken under sub-section (1) of section 26 ;
- (p) the form of the notice referred to in sub-section (3) of section 26 ;
- (q) the form of the report of the State Board analyst under sub-section (1) of section 27 ;
- (r) the form of the report of the Government analyst under sub-section (3) of section 27 ;
- (s) the functions of the State Air Laboratory, the procedure for the submission to the said Laboratory of samples of air or emission for analysis or tests, the form of Laboratory's report thereon, the fees payable in respect of such report and other matters as may be necessary or expedient to enable that Laboratory to carry out its functions, under sub-section (2) of section 28 ;
- (t) the qualifications required for Government analysts under sub-section (1) of section 29 ;
- (u) the qualifications required for State Board analysts under sub-section (2) of section 29 ;
- (v) the form and the manner in which appeals may be preferred, the fees payable in respect of such appeals

and the procedure to be followed by the Appellate Authority in disposing of the appeals under sub-section (3) of section 31 ;

- (w) the form in which and the time within which the budget and annual report of the State Board may be prepared and forwarded to the State Government under sections 34 and 35 ;
- (x) the form in which the accounts of the State Board may be maintained under sub-section (1) of section 36 ;
- (y) the particulars which the register maintained under section 51 may contain ;
- (z) any other matter which has to be, or may be, prescribed.

(3) After the first constitution of the State Board, no rule with respect to any of the matters referred to in sub-section (2) [other than those referred to in clause (a) thereof], shall be made, varied, amended or repealed without consulting that Board.

THE SCHEDULE

(See sections 21, 22, 24 and 50)

1. Asbestos and asbestos products industries.
2. Cement and cement products industries.
3. Ceramic and ceramic products industries.
4. Chemical and allied industries.
5. Coal and lignite based chemical industries.
6. Engineering industries.
7. Ferrous metallurgical industries.
8. Fertilizer industries.
9. Foundries.

10. Food and agricultural products industries.
11. Mining industries.
12. Non-ferrous metallurgical industries.
13. Ores/mineral processing industries including beneficiation, pelletization, etc.
14. Power (coal, petroleum and their products) generating plants and boiler plants.
15. Paper and pulp (including paper products) industries.
16. Textile processing industries (made wholly or in part of cotton).
17. Petroleum refineries.
18. Petroleum products and petro-chemical industries.
19. Plants for recovery from and disposal of wastes.
20. Incinerators.

R. V. S. PERI SASTRI,

Secy. to the Govt. of India



PART VII

THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974

No. 6 of 1974

[23rd March, 1974]

An Act to provide for the prevention and control of water pollution and the maintaining or restoring of wholesomeness of water, for the establishment, with a view to carrying out the purposes aforesaid of Boards for the prevention, and control of water pollution, for conferring on and assigning to such Boards powers and functions relating thereto and for matters connected therewith.

Whereas it is expedient to provide for the prevention and control of water pollution and the maintaining or restoring of wholesomeness of water, for the establishment, with a view to carrying out the purposes aforesaid, of Boards for the prevention and control of water pollution and for conferring on and assigning to such Boards powers and functions relating thereto ;

And whereas Parliament has no power to make laws for the States with respect to any of the matters aforesaid except as provided in articles 249 and 250 of the Constitution ;

And whereas in pursuance of clause (1) of article 252 of the Constitution resolutions have been passed by all the Houses of the Legislatures of the States of Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Kerala, Madhya Pradesh, Rajasthan, Tripura and West Bengal to the effect that the matters aforesaid should be regulated in those States by Parliament by law ;

Be it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows :—

PART VII

41

CHAPTER I

PRELIMINARY

Short title, application and commencement

1. (1) This Act may be called the Water (Prevention and Control of Pollution) Act, 1974.

(2) It applies in the first instance to the whole of the States of Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Kerala, Madhya Pradesh, Rajasthan, Tripura and West Bengal and the Union territories ; and it shall apply to such other State which adopts this Act by resolution passed in that behalf under clause (1) of article 252 of the Constitution.

(3) It shall come into force, at once in the States of Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Kerala, Madhya Pradesh, Rajasthan Tripura and West Bengal and in the Union territories, and in any other State which adopts this Act under clause (1) of article 252 of the Constitution on the date of such adoption and any reference in this Act to the commencement of this Act shall, in relation to any State or Union territory, mean the date on which this Act comes into force in such State or Union territory.

Definitions

2. In this Act, unless the context otherwise requires,—

- (a) "Board" means the Central Board or a State Board ;
- (b) "Central Board" means the Central Board for the Prevention and Control of Water Pollution constituted under section 3 ;
- (c) "member" means a member of a Board and includes the chairman thereof ;
- (d) "occupier" in relation to any factory or premises means the person who has control over the affairs of the factory or the premises and where the said affairs are entrusted to a managing agent, such agent shall be deemed to be the occupier of the factory or the premises ;

- (e) "pollution" means such contamination of water or such alteration of the physical, chemical or biological properties of water or such discharge of any sewage or trade effluent or of any other liquid, gaseous or solid substance into water (whether directly or indirectly) as may, or is likely to, create a nuisance or render such water harmful or injurious to public health or safety, or to domestic, commercial, industrial, agricultural or other legitimate uses, or to the life and health of animals or plants or of aquatic organisms ;
- (f) "prescribed" means prescribed by rules made under this Act by the Central Government or, as the case may be, the State Government ;
- (g) "sewage effluent" means effluent from any sewerage system or sewage disposal works and includes sullage from open drains ;
- (h) "State Board" means a State Board for the Prevention and Control of Water Pollution constituted under section 4 ;
- (i) "State Government" in relation to a Union territory means the Administrator thereof appointed under article 239 of the Constitution ;
- (j) "Stream" includes—
 - (i) river ;
 - (ii) water course (whether flowing or for the time being dry) ;
 - (iii) inland water (whether natural or artificial) ;
 - (iv) sub-terranean waters ;
 - (v) sea or tidal waters to such extent or, as the case may be, to such point as the State Government may by notification in the Official Gazette, specify in this behalf ;
- (k) "trade effluent" includes any liquid, gaseous or solid substance which is discharged from any premises used for carrying on any trade or industry, other than domestic sewage.



CHAPTER II

**THE CENTRAL AND STATE BOARDS FOR
PREVENTION AND CONTROL OF
WATER POLLUTION****Constitution of Central Board**

3. (1) The Central Government shall, with effect from such date (being a date not later than six months of the commencement of this Act in the States of Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Kerala, Madhya Pradesh, Rajasthan, Tripura and West Bengal and in the Union territories) as it may, by notification in the Official Gazette, appoint, constitute a Central Board to be called the Central Board for the Prevention and Control of Water Pollution to exercise the powers conferred on and perform the functions assigned to that Board under this Act.

(2) The Central Board shall consist of the following members, namely :—

- (a) a full-time chairman, being a person having special knowledge or practical experience in respect of matters relating to the use and conservation of water resources or the prevention and control of water pollution or a person having knowledge and experience in administering institutions dealing with the matters aforesaid, to be nominated by the Central Government ;
- (b) five officials to be nominated by the Central Government to represent that Government ;
- (c) such number of persons, not exceeding five, to be nominated by the Central Government, from amongst the members of the State Boards, of whom not exceeding two shall be from those referred to in clause (c) of sub-section (2) of section 4 ;
- (d) three non-officials to be nominated by the Central Government, to represent the interests of agriculture, fishery or industry or trade or any other interest which, in the opinion of the Central Government, ought to be represented ;

- (e) two persons to represent the companies or corporations owned, controlled or managed by the Central Government, to be nominated by that Government ;
- (f) a full-time member-secretary qualified in public health engineering and having administrative experience, to be appointed by the Central Government.

(3) The Central Board shall be a body corporate with the name aforesaid having perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire, hold and dispose of property and to contract, and may, by the aforesaid name, sue or be sued.

Constitution of State Boards

4. (1) The State Government shall, with effect from such date (being a date not later than six months of the commencement of this Act in the State) as it may, by notification in the Official Gazette, appoint, constitute a State Board, under such name as may be specified in the notification, to exercise the powers conferred on and perform the functions assigned to the Board under this Act.

(2) A State Board shall consist of the following members, namely :—

- (a) a full-time chairman, being a person having special knowledge or practical experience in respect of matters relating to the use and conservation of water resources or the prevention and control of water pollution or a person having knowledge and experience in administering institutions dealing with the matters aforesaid, to be nominated by the State Government ;
- (b) five officials to be nominated by the State Government to represent that Government ;
- (c) five persons to be nominated by the State Government from amongst the members of the local authorities functioning within the State ;
- (d) three non-officials to be nominated by the State Government to represent the interests of agriculture, fishery or industry or trade or any other interest which in the opinion of the State Government, ought to be represented ;

- (e) two persons to represent the companies or corporations owned, controlled or managed by the State Government, to be nominated by that Government.
- (f) a full-time member-secretary qualified in public health engineering and having administrative experience, to be appointed by the State Government.

(3) Every State Board shall be a body corporate with the name specified by the State Government in the notification under sub-section (1), having perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire, hold and dispose of property and to contract, and may, by the said name, sue or be sued.

(4) Notwithstanding anything contained in this section, no State Board shall be constituted for a Union territory and in relation to a Union territory, the Central Board shall exercise the powers and perform the functions of a State Board for that Union territory :

Provided that in relation to any Union territory the Central Board may delegate all or any of its powers and functions under this sub-section to such person or body of persons as the Central Government may specify.

Terms and conditions of service of members

5. (1) Save as otherwise provided by or under this Act, a member of a Board other than a member-secretary, shall hold office for a term of three years from the date of his nomination :

Provided that a member shall, notwithstanding the expiration of his term, continue to hold office until his successor enters upon his office.

(2) The term of office of a member of a Board nominated under clause (b) of sub-section (2) of section 3 or clause (b) of sub-section (2) of section 4 shall come to an end as soon as he ceases to hold the office under the Central Government or, as the case may be, the State Government, by virtue of which he was nominated.

(3) The Central Government or, as the case may be, the State Government may, if it thinks fit, remove any member of a Board before the expiry of his term of office, after giving

him a reasonable opportunity of showing cause against the same.

(4) A member of a Board, other than the member-secretary, may at any time resign his office by writing under his hand addressed—

(a) in the case of the chairman, to the Central Government or, as the case may be, the State Government ; and

(b) in any other case, to the chairman of the Board ; and the seat of the chairman or such other member shall thereupon become vacant.

(5) A member of a Board, other than the member-secretary, shall be deemed to have vacated his seat if he is absent without reason, sufficient in the opinion of the Board, from three consecutive meetings of the Board, or where he is nominated under clause (c) of sub-section (2) of section 3 or under clause (c) of sub-section (2) of section 4, if he ceases to be a member of the State Board, or as the case may be, of the local authority.

(6) A casual vacancy in a Board shall be filled by a fresh nomination and the person nominated to fill the vacancy shall hold office only for the remainder of the term for which the member in whose place he was nominated.

(7) A member of a Board shall not be eligible for re-nomination for more than two terms.

(8) The other terms and conditions of service of a member of a Board, other than the chairman and member-secretary, shall be such as may be prescribed.

(9) The other terms and conditions of service of the chairman shall be such as may be prescribed.

Disqualifications

6. (1) No person shall be a member of a Board, who—

(a) is, or at any time has been adjudged insolvent or has suspended payment of his debts or has compounded with his creditors, or

- (b) is, of unsound mind and stands so declared by a competent court, or
- (c) is, or has been, convicted of an offence which, in the opinion of the Central Government or, as the case may be, of the State Government, involves moral turpitude, or
- (d) is, or at any time has been, convicted of an offence under this Act, or
- (e) has directly or indirectly by himself or by any partner, any share or interest in any firm or company carrying on the business of manufacture, sale or hire of machinery, plant, equipment, apparatus or fittings for the treatment of a sewage or trade effluents, or
- (f) is a director or a secretary, manager or other salaried officer or employee of any company or firm having any contract with the Board, or with the Government constituting the Board, or with a local authority in the State, or with a company or corporation owned, controlled or managed by the Government for the carrying out of sewerage schemes or for the installation of plants for the treatment of sewage or trade effluents, or
- (g) has so abused, in the opinion of the Central Government or as the case may be, of the State Government, his position as a member, as to render his continuance on the Board detrimental to the interest of the general public.

(2) No order of removal shall be made by the Central Government or the State Government, as the case may be, under this section unless the member concerned has been given a reasonable opportunity of showing cause against the same.

(3) Notwithstanding anything contained in sub-sections (1) and (7) of section 5, a member who has been removed under this section shall not be eligible for renomination as a member.

Vacation of seats by members

7. If a member of a Board becomes subject to any of the disqualifications specified in section 6, his seat shall become vacant.

Meetings of Board

8. A Board shall meet at least once in every three months and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be prescribed :

Provided that if, in the opinion of the chairman, any business of an urgent nature is to be transacted, he may convene a meeting of the Board at such time as he thinks fit for the aforesaid purpose.

Constitution of committees

9. (1) A Board may constitute as many committees consisting wholly of members or wholly of other persons or partly of members and partly of other persons, and for such purpose or purposes as it may think fit.

(2) A committee constituted under this section shall meet at such time and at such place, and shall observe such rules of procedure in regard to the transaction of business at its meetings, as may be prescribed.

(3) The members of a committee (other than the members of the Board) shall be paid such fees and allowances, for attending its meetings and for attending to any other work of the Board as may be prescribed.

Temporary association of persons with Board for particular purposes

10. (1) A Board may associate with itself in such manner, and for such purposes, as may be prescribed any person whose assistance or advice it may desire to obtain in performing any of its functions under this Act.

(2) A person associated with the Board under subsection (1) for any purpose shall have a right to take part in the discussions of the Board relevant to that purpose, but shall not have a right to vote at a meeting of the Board, and shall not be a member for any other purpose.

Vacancy in Board not to invalidate acts or proceedings

11. No act or proceeding of a Board or any committee thereof shall be called in question on the ground merely

of the existence of any vacancy in, or any defect in the constitution of, the Board or such committee, as the case may be.

Member-secretary and officers and other employees of Board

12. (1) The terms and conditions of service of the member-secretary shall be such as may be prescribed.

(2) The member-secretary shall exercise such powers and perform such duties as may be prescribed or as may, from time to time, be delegated to him by the Board or its chairman.

(3) Subject to such rules as may be made by the Central Government or, as the case may be, the State Government in this behalf, a Board may appoint such officers and employees as it considers necessary for the efficient performance of its functions and the rules so made may provide for the salaries and allowances and other terms and conditions of service of such officers and employees.

(4) Subject to such conditions as may be prescribed, a Board may from time to time appoint any qualified person to be a consulting engineer to the Board and pay him such salaries and allowances and subject him to such other terms and conditions of service as it thinks fit.

CHAPTER III

JOINT BOARDS

Constitution of Joint Boards

13. (1) Notwithstanding anything contained in this Act, an agreement may be entered into—

- (a) by two or more Governments of contiguous States, or
- (b) by the Central Government (in respect of one or more Union territories) and one or more Governments of States contiguous to such Union territory or Union territories, •

to be in force for such period and to be subject to renewal for such further period, if any, as may be specified in

the agreement to provide for the constitution of a Joint Board,—

- (i) in a case referred to in clause (a), for all the participating States, and
- (ii) in a case referred to in clause (b), for the participating Union territory or Union territories and the State or States.

(2) An agreement under this section may—

- (a) provide, in a case referred to in clause (a) of sub-section (1), for the apportionment between the participating States and in a case referred to in clause (b) of that sub-section, for the apportionments between the Central Government and the participating State Government or State Governments, of the expenditure in connection with the Joint Board ;
- (b) determine, in a case referred to in clause (a) of sub-section (1), which of the participating State Governments and in a case referred to in clause (b) of that sub-section, whether the Central Government or the participating State Government (if there are more than one participating State, also which of the participating State Governments) shall exercise and perform the several powers and functions of the State Government under this Act and the references in this Act to the State Government shall be construed accordingly ;
- (c) provide for consultation, in a case referred to in clause (a) of sub-section (1), between the participating State Governments and in a case referred to in clause (b) of that sub-section, between the Central Government and the participating State Government or State Governments either generally or with reference to particular matters arising under this Act ;
- (d) make such incidental and ancillary provisions, not inconsistent with this Act, as may be deemed necessary or expedient for giving effect to the agreement.

(3) An agreement under this section shall be published, in a case referred to in clause (a) of sub-section (1), in the

Official Gazette of the participating States and in a case referred to in clause (b) of that sub-section, in the Official Gazette of the participating Union territory or Union territories and the participating State or States.

Composition of Joint Boards

14. (1) A Joint Board, constituted in pursuance of an agreement entered into under clause (a) of sub-section (1) of section 13 shall consist of the following members, namely :—

- (a) a full-time chairman, being a person having special knowledge or practical experience in respect of matters relating to the use and conservation of water resources or the prevention and control of water pollution or a person having knowledge and experience in administering institutions dealing with the matters aforesaid, to be nominated by the Central Government ;
- (b) two officials from each of the participating States to be nominated by the concerned participating State Government to represent that Government ;
- (c) one person to be nominated by each of the participating State Governments from amongst the members of the local authorities functioning within the State concerned ;
- (d) one non-official to be nominated by each of the participating State Governments to represent the interests of agriculture, fishery or industry or trade in the State concerned or any other interest which, in the opinion of the participating State Government, is to be represented ;
- (e) two persons to be nominated by the Central Government to represent the companies or corporations owned, controlled or managed by the participating State Governments ;
- (f) a full-time member-secretary qualified in public health engineering and having administrative experience, to be appointed by the Central Government.

(2) A Joint Board constituted in pursuance of an agreement entered into under clause (b) of sub-section (1)

of section 13 shall consist of the following members, namely :—

- (a) a full-time chairman, being a person having special knowledge or practical experience in respect of matters relating to the use and conservation of water resources or the prevention and control of water pollution or a person having knowledge and experience in administering institutions dealing with the matters aforesaid, to be nominated by the Central Government ;
- (b) two officials to be nominated by the Central Government from the participating Union territory or each of the participating Union territories, as the case may be, and two officials to be nominated, from the participating State or each of the participating States, as the case may be, by the concerned participating State Government ;
- (c) one person to be nominated by the Central Government from amongst the members of the local authorities functioning within the participating Union territory or each of the participating Union territories, as the case may be, and one person to be nominated, from amongst the members of the local authorities functioning within the participating State or each of the participating States, as the case may be, by the concerned participating State Government ;
- (d) one non-official to be nominated by the Central Government and one person to be nominated by the participating State Government or State Governments to represent the interests of agriculture, fishery or industry or trade in the Union territory or in each of the Union territories or the State or in each of the States, as the case may be, or any other interest which in the opinion of the Central Government or, as the case may be, of the State Government is to be represented ;
- (e) two persons to be nominated by the Central Government to represent the companies or corporations owned, controlled or managed by the Central Government and situated in the participating Union territory or territories and two persons to be nominated by the Central Government to represent the companies or corporations owned, controlled or managed by the participating State Governments ;



- (f) a full-time member-secretary qualified in public health engineering and having administrative experience, to be appointed by the Central Government.

(3) When a Joint Board is constituted in pursuance of an agreement under clause (b) of sub-section (1) of section 13, the provisions of sub-section (4) of section 4 shall cease to apply in relation to the Union territory for which the Joint Board is constituted.

(4) Subject to the provisions of sub-section (3), the provisions of sub-section (3) of section 4 and sections 5 to 12 (inclusive) shall apply in relation to the Joint Board and its member-secretary as they apply in relation to a State Board and its member-secretary.

(5) Any reference in this Act to the State Board shall, unless the context otherwise requires, be construed as including a Joint Board.

Special provision relating to giving of directions

15. Notwithstanding anything contained in this Act where any Joint Board is constituted under section 13,—

- (a) the Government of the State for which the Joint Board is constituted shall be competent to give any direction under this Act only in cases where such direction relates to a matter within the exclusive jurisdiction of the State ;
- (b) the Central Government alone shall be competent to give any direction under this Act where such direction relates to a matter within the territorial jurisdiction of two or more States or pertaining to a Union territory.

CHAPTER IV

POWERS AND FUNCTIONS OF BOARDS

Functions of Central Board

16. (1) Subject to the provisions of this Act, the main function of the Central Board shall be to promote cleanliness of streams and wells in different areas of the States.

(2) In particular and without prejudice to the generality of the foregoing function, the Central Board may perform all or any of the following functions, namely :—

- (a) advise the Central Government on any matter concerning the prevention and control of water pollution ;
- (b) co-ordinate the activities of the State Boards and resolve disputes among them ;
- (c) provide technical assistance and guidance to the State Boards, carry out and sponsor investigations and research relating to problems of water pollution and prevention, control or abatement of water pollution ;
- (d) plan and organise the training of persons engaged or to be engaged in programmes for the prevention, control or abatement of water pollution on such terms and conditions as the Central Board may specify ;
- (e) organise through mass media a comprehensive programme regarding the prevention and control of water pollution ;
- (f) collect, compile and publish technical and statistical data relating to water pollution and the measures devised for its effective prevention and control and prepare manuals, codes or guides relating to treatment and disposal of sewage and trade effluents and disseminate information connected therewith ;
- (g) lay down, modify or annul, in consultation with the State Government concerned, the standards for a stream or well ;

Provided that different standards may be laid down for the same stream or well or for different streams or wells, having regard to the quality of water, flow characteristics of the stream or well and the nature of the use of the water in such stream or well or streams or wells ;

- (h) plan and cause to be executed a nation-wide programme for the prevention, control or abatement of water pollution ;

- (i) perform such other functions as may be prescribed.

(3) The Board may establish or recognise a laboratory or laboratories to enable the Board to perform its functions under this section efficiently, including the analysis of samples of water from any stream or well or of samples of any sewage or trade effluents.

Functions of State Board

17. (1) Subject to the provisions of this Act, the functions of a State Board shall be—

- (a) to plan a comprehensive programme for the prevention, control or abatement of pollution of streams and wells in the State and to secure the execution thereof ;
- (b) to advise the State Government on any matter concerning the prevention, control or abatement of water pollution ;
- (c) to collect and disseminate information relating to water pollution and the prevention, control or abatement thereof ;
- (d) to encourage, conduct and participate in investigations and research relating to problems of water pollution and prevention, control or abatement of water pollution ;
- (e) to collaborate with the Central Board in organising the training of persons engaged or to be engaged in programmes relating to prevention, control or abatement of water pollution and to organise mass education programmes relating thereto ;
- (f) to inspect sewage or trade effluents, works and plants for the treatment of sewage and trade effluents and to review plans, specifications or other data relating to plants set up for the treatment of water, works for the purification thereof and the system for the disposal of sewage or trade effluents or in connection with the grant of any consent as required by this Act ;
- (g) to lay down, modify or annul effluent standards for the sewage and trade effluents and for the quality

of receiving waters (not being water in an inter-State stream) resulting from the discharge of effluents and to classify waters of the State ;

- (h) to evolve economical and reliable methods of treatment of sewage and trade effluents, having regard to the peculiar conditions of soils, climate and water resources of different regions and more especially the prevailing flow characteristics of water in streams and wells which render it impossible to attain even the minimum degree of dilution ;
- (i) to evolve methods of utilisation of sewage and suitable trade effluents in agriculture ;
- (j) to evolve efficient methods of disposal of sewage and trade effluents on land, as are necessary on account of the predominant conditions of scan stream flows that do not provide for major part of the year the minimum degree of dilution ;
- (k) to lay down standards of treatment of sewage and trade effluents to be discharged into any particular stream taking into account the minimum fair weather dilution available in that stream and the tolerance limits of pollution permissible in the water of the stream, after the discharge of such effluents ;
- (l) to make, vary or revoke any order—
 - (i) for the prevention, control or abatement of discharges of waste into streams or wells ;
 - (ii) requiring any person concerned to construct new systems for the disposal of sewage and trade effluents or to modify, alter or extend any such existing system or to adopt such remedial measures as are necessary to prevent, control or abate water pollution ;
- (m) to lay down effluent standards to be complied with by persons while causing discharge of sewage or sullage or both and to lay down, modify or annul effluent standards for the sewage and trade effluents ;
- (n) to advise the State Government with respect to the location of any industry the carrying on of which is likely to pollute a stream or well ;

- (o) to perform such other functions as may be prescribed or as may, from time to time, be entrusted to it by the Central Board or the State Government.

(2) The Board may establish or recognise a laboratory or laboratories to enable the Board to perform its functions under this section efficiently, including the analysis of samples of water from any stream or well or of samples of any sewage or trade effluents.

Powers to give directions

18. In the performance of its functions under this Act—

- (a) the Central Board shall be bound by such directions in writing as the Central Government may give to it ; and
- (b) every State Board shall be bound by such directions in writing as the Central Board or the State Government may give to it :

Provided that where a direction given by the State Government is inconsistent with the direction given by the Central Board, the matter shall be referred to the Central Government for its decision.

CHAPTER V

PREVENTION AND CONTROL OF WATER POLLUTION

Power of State Government to restrict the application of the Act to certain areas

19. (1) Notwithstanding anything contained in this Act, if the State Government, after consultation with, or on the recommendation of, the State Board, is of opinion that the provisions of this Act need not apply to the entire State, it may, by notification in the Official Gazette, restrict the application of this Act to such area or areas as may be declared therein as water pollution, prevention and control area or areas and thereupon the provisions of this Act shall apply only to such area or areas.

(2) Each water pollution, prevention and control area may be declared either by reference to a map or by reference

to the line of any watershed or the boundary of any district or partly by one method and partly by another.

(3) The State Government may, by notification in the Official Gazette,—

- (a) alter any water pollution, prevention and control area whether by way of extension or reduction ; or
- (b) define a new water pollution, prevention and control area in which may be merged one or more water pollution, prevention and control areas, or any part or parts thereof.

Power to obtain information

20. (1) For the purpose of enabling a State Board to perform the functions conferred on it by or under this Act, the State Board or any officer empowered by it in that behalf, may make surveys of any area and gauge and keep records of the flow or volume and other characteristics of any stream or well in such area, and may take steps for the measurement and recording of the rainfall in such area or any part thereof and for the installation and maintenance for those purposes of gauges or other apparatus and works connected therewith, and carry out stream surveys and may take such other steps as may be necessary in order to obtain any information required for the purposes aforesaid.

(2) A State Board may give directions requiring any person who in its opinion is abstracting water from any such stream or well in the area in quantities which are substantial in relation to the flow or volume of that stream or well or is discharging sewage or trade effluent into any such stream or well, to give such information as to the abstraction or the discharge at such times and in such form as may be specified in the directions.

(3) Without prejudice to the provisions of sub-section (2), a State Board may, with a view to preventing or controlling pollution of water, give directions requiring any person in charge of any establishment where any industry or trade is carried on, to furnish to it information regarding the construction, installation or operation of such establishment or of any disposal system or of any extension or addition thereto in such establishment and such other particulars as may be prescribed.

Power to take samples of effluents and procedure to be followed in connection therewith

21. (1) A State Board or any officer empowered by it in this behalf shall have power to take for the purpose of analysis of samples of water from any stream or well or samples of any sewage or trade effluent which is passing from any plant or vessel or from or over any place into any such stream or well.

(2) The result of any analysis of a sample of any sewage or trade effluent taken under sub-section (1) shall not be admissible in evidence in any legal proceeding unless the provisions of sub-sections (3), (4) and (5), are complied with.

(3) Subject to the provisions of sub-sections (4) and (5), when a sample (composite or otherwise as may be warranted by the process used) of any sewage or trade effluent is taken for analysis under sub-section (1), the person taking the sample shall—

- (a) serve on the person in charge of, or having control over, the plant or vessel or in occupation of the place (which person is hereinafter referred to as the occupier) or any agent of such occupier, a notice, then and there in such form as may be prescribed of his intention to have it so analysed ;
- (b) in the presence of the occupier or his agent, divide the sample into two parts ;
- (c) cause each part to be placed in a container which shall be marked and sealed and shall also be signed both by the person taking the sample and the occupier or his agent ;
- (d) send one container forthwith,—
 - (i) in a case where such sample is taken from any area situated in a Union territory, to the laboratory established or recognised by the Central Board under section 16 ; and
 - (ii) in any other case, to the laboratory established or recognised by the State Board under section 17 ;
- (e) on the request of the occupier or his agent, send the second container,—

- (i) in a case where such sample is taken from any area situated in a Union territory, to the laboratory established or specified under sub-section (1) of section 51 ; and
- (ii) in any other case, to the laboratory established or specified under sub-section (1) of section 52.

(4) When a sample of any sewage or trade effluent is taken for analysis under sub-section (1) and the person taking the sample serves on the occupier or his agent, a notice under clause (a) of sub-section (3) and the occupier or his agent wilfully absents himself, then, the sample so taken shall be placed in a container which shall be marked and sealed and shall also be signed by the person taking the sample and the same shall be sent forthwith by such person for analysis to the laboratory referred to in sub-clause (i) or sub-clause (ii), as the case may be, of clause (e) of sub-section (3) and such person shall inform the Government analyst appointed under sub-section (1) or sub-section (2), as the case may be, of section 53, in writing about the wilful absence of the occupier or his agent.

(5) When a sample of any sewage or trade effluent is taken for analysis under sub-section (1) and the person taking the sample serves on the occupier or his agent a notice under clause (a) of sub-section (3) and the occupier or his agent who is present at the time of taking the sample does not make a request for dividing the sample into two parts as provided in clause (b) of sub-section (3), then, the sample so taken shall be placed in a container which shall be marked and sealed and shall also be signed by the person taking the sample and the same shall be sent forthwith by such person for analysis to the laboratory referred to in sub-clause (i) or sub-clause (ii), as the case may be, of clause (d) of sub-section (3).

Reports of the result of analysis on samples taken under section 21

22. (1) Where a sample of any sewage or trade effluent has been sent for analysis to the laboratory established or recognised by the Central Board or, as the case may be, the State Board, the concerned Board analyst appointed under sub-section (3) of section 53 shall analyse the sample and submit a report in the prescribed form of the result of such analysis in triplicate to the Central Board or the State Board, as the case may be.

(2) On receipt of the report under sub-section (1), one copy of the report shall be sent by the Central Board or the State Board, as the case may be, to the occupier or his agent referred to in section 21, another copy shall be preserved for production before the court in case any legal proceedings are taken against him and the other copy shall be kept by the concerned Board.

(3) Where a sample has been sent for analysis under clause (e) of sub-section (3) or sub-section (4) of section 21 to any laboratory mentioned therein, the Government analyst referred to in that sub-section shall analyse the sample and submit a report in the prescribed form of the result of the analysis in triplicate to the Central Board or, as the case may be, the State Board which shall comply with the provisions of sub-section (2).

(4) If there is any inconsistency or discrepancy between, or variation in the results of, the analysis carried out by the laboratory established or recognised by the Central Board or the State Board, as the case may be, and that of the laboratory established or specified under section 51 or section 52, as the case may be, the report of the latter shall prevail.

(5) Any cost incurred in getting any sample analysed at the request of the occupier or his agent shall be payable by such occupier or his agent and in case of default the same shall be recoverable from him as arrears of land revenue or of public demand.

Power of entry and inspection

23. (1) Subject to the provisions of this section, any person empowered by a State Board in this behalf shall have a right at any time to enter, with such assistance as he considers necessary, any place—

- (a) for the purpose of performing any of the functions of the Board entrusted to him ;
- (b) for the purpose of determining whether and if so in what manner, any such functions are to be performed or whether any provisions of this Act or the rules made thereunder or any notice, order, direction or authorisation served, made, given, or granted under this Act is being or has been complied with ;

- (c) for the purpose of examining any plant, record, register, document or any other material object or for conducting a search of any place in which he has reason to believe that an offence under this Act or the rules made thereunder has been or is being or is about to be committed and for seizing any such plant, record, register, document or other material object, if he has reason to believe that it may furnish evidence of the commission of an offence punishable under this Act or the rules made thereunder :

Provided that the right to enter under this sub-section for the inspection of a well shall be exercised only at reasonable hours in a case where such well is situated in any premises used for residential purposes and the water thereof is used exclusively for domestic purposes.

(2) The provisions of the Code of Criminal Procedure, 1898 (5 of 1898) or, in relation to the State of Jammu and Kashmir, the provisions of any corresponding law in force in that State, shall, so far as may be, apply to any search or seizure under this section as they apply to any search or seizure made under the authority of a warrant issued under section 98 of the said Code, or, as the case may be, under the corresponding provisions of the said law.

Explanation—For the purposes of this section, “place” includes vessel.

Prohibition on use of stream or well for disposal of polluting matter, etc.

24. (1) Subject to the provisions of this section,—

- (a) no person shall knowingly cause or permit any poisonous, noxious or polluting matter determined in accordance with such standards as may be laid down by the State Board to enter (whether directly or indirectly) into any stream or well ; or
- (b) no person shall knowingly cause or permit to enter into any stream any other matter which may tend, either directly or in combination with similar matters, to impede the proper flow of the water of the stream in a manner leading or likely to lead to a substantial aggravation of pollution due to other causes or of its consequences.

(2) A person shall not be guilty of an offence under sub-section (1), by reason only of having done or caused to be done any of the following acts, namely :—

- (a) constructing, improving or maintaining in or across or on the bank or bed of any stream any building, bridge, weir, dam, sluice, dock, pier, drain or sewer or other permanent works which he has a right to construct, improve or maintain ;
- (b) depositing any materials on the bank or in the bed of any stream for the purpose of reclaiming land or for supporting, repairing or protecting the bank or bed of such stream provided such materials are not capable of polluting such stream ;
- (c) putting into any stream, any sand or gravel or other natural deposit which has flowed from or been deposited by the current of such stream ;
- (d) causing or permitting, with the consent of the State Board, the deposit accumulated in a well, pond or reservoir to enter into any stream.

(3) The State Government may, after consultation with, or on the recommendation of, the State Board, exempt, by notification in the Official Gazette, any person from the operation of sub-section (1) subject to such conditions, if any, as may be specified in the notification and any condition so specified may by a like notification be altered, varied or amended.

Restrictions on new outlets and new discharges

25. (1) Subject to the provisions of this section no person shall, without the previous consent of the State Board, bring into use any new or altered outlet for the discharge of sewage or trade effluent into a stream or well or begin to make any new discharge of sewage or trade effluent into a stream or well.

(2) An application for consent of the State Board under sub-section (1) shall be made in the prescribed form and shall contain particulars regarding the proposed construction, installation or operation of the industrial or commercial establishment or of any treatment and disposal system or of any extension or addition thereto and such other particulars as may be prescribed.

(3) The State Board may make such inquiry as it may deem fit in respect of the application for consent referred to in sub-section (1) and in making any such inquiry shall follow such procedure as may be prescribed.

(4) The State Board may grant its consent referred to in sub-section (1), subject to such conditions as it may impose, being—

- (a) in the case of a new or altered outlet, conditions as to the point of discharge into the stream or well or the construction of the outlet, or as to the use of that outlet or any other outlet for sewage or trade effluent from the same land or premises ; and
- (b) in the case of a new discharge, conditions as to the nature and composition, temperature, volume or rate of discharge of the effluent from the land or premises from which the new discharge is to be made,

and any such conditions imposed shall be binding on any person using the outlet, or discharging the effluent from the land or premises aforesaid.

(5) Where, without the consent of the State Board, a new or altered outlet is brought into use for the discharge of sewage or trade effluent into a stream or well or a new discharge of sewage or trade effluent is made, the State Board may serve on the person using the outlet or making the discharge, as the case may be, a notice imposing any such conditions as it might have imposed on an application for its consent in respect to such outlet or discharge.

(6) Every State Board shall maintain a register containing such particulars of the conditions imposed under this section in relation to outlets or in relation to effluent from land or premises in its jurisdiction and as are for the time being in force (other than the conditions to be satisfied before an outlet is brought into use or a new discharge is made) and so much of the register as relates to any outlet, or to any effluent from such land or premises shall be open to inspection at all reasonable hours by any person interested in, or affected by, the outlet, or in the land or premises, as the case may be, or by any person authorised by him in this behalf and the conditions so contained in such register shall be conclusive proof that the consent was granted subject to such conditions.

(7) The consent referred to in sub-section (1) shall, unless given or refused earlier, be deemed to have been given unconditionally on the expiry of a period of four months of the making of an application in this behalf complete in all respects to the State Board.

(8) For the purposes of this section and sections 27 and 30,—

- (a) the expression "new or altered outlet" means any outlet which is wholly or partly constructed on or after the commencement of this Act or which (whether so constructed or not) is substantially altered after such commencement ;
- (b) the expression "new discharge" means a discharge which is not, as respects the nature and composition, temperature, volume and rate of discharge of the effluent substantially a continuation of a discharge made within the preceding twelve months (whether by the same or a different outlet), so however that a discharge which is in other respects a continuation of previous discharge made as aforesaid shall not be deemed to be a new discharge by reason of any reduction of the temperature or volume or rate of discharge of the effluent as compared with the previous discharge.

Provision regarding existing discharge of sewage or trade effluent

26. Where immediately before the commencement of this Act any person was discharging any sewage or trade effluent into a stream or well, the provisions of section 25 shall, so far as may be, apply in relation to such person as they apply in relation to the person referred to in that section subject to the modification that the application for consent to be made under sub-section (2) of that section shall be made within a period of three months of the constitution of the State Board.

Refusal or withdrawal of consent by State Board

27. (1) A State Board shall not grant its consent to the bringing into use of a new or altered outlet unless the outlet is so constructed as to comply with any conditions imposed by the Board to enable it to exercise its right to take samples of the effluent.

(2) A State Board may from time to time review any condition imposed under section 25 (other than a condition to be satisfied before an outlet is brought into use or a new discharge is made), or under section 26 and may serve on the person using the outlet or making the discharge, as the case may be, a notice making any reasonable variation of or revoking any such condition.

(3) Any condition imposed under section 25 or section 26 shall be subject to any variation made under sub-section (2) and shall continue in force until revoked under that sub-section.

Appeals

28. (1) Any person aggrieved by an order made by the State Board under section 25, section 26 or section 27 may, within thirty days from the date on which the order is communicated to him, prefer an appeal to such authority (hereinafter referred to as the appellate authority) as the State Government may think fit to constitute :

Provided that the appellate authority may entertain the appeal after the expiry of the said period of thirty days if such authority is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) An appellate authority shall consist of three persons.

(3) The form and manner in which an appeal may be preferred under sub-section (1), the fees payable for such appeal and the procedure to be followed by the appellate authority shall be such as may be prescribed.

(4) On receipt of an appeal preferred under sub-section (1), the appellate authority shall, after giving the appellant and the State Board an opportunity of being heard, dispose of the appeal as expeditiously as possible.

(5) If the appellate authority determines that any condition imposed, or the variation of any condition, as the case may be, was unreasonable, then,—

(a) where the appeal is in respect of the unreasonableness of any condition imposed, such authority may direct either that the condition shall be treated as annulled or that there shall be substituted for it such condition as appears to it to be reasonable ;

- (b) where the appeal is in respect of the unreasonableness of any variation of a condition, such authority may direct either that the condition shall be treated as continuing in force unvaried or that it shall be varied in such manner as appears to it to be reasonable.

Revision

29. (1) The State Government may at any time either of its own motion or on an application made to it in this behalf, call for the records of any case where an order has been made by the State Board under section 25, section 26 or section 27 for the purpose of satisfying itself as to the legality or propriety of any such order and may pass such order in relation thereto as it may think fit :

Provided that the State Government shall not pass any order under this sub-section without affording the State Board and the person who may be affected by such order a reasonable opportunity of being heard in the matter.

(2) The State Government shall not revise any order made under section 25, section 26 or section 27 where an appeal against that order lies to the appellate authority, but has not been preferred or where an appeal has been preferred such appeal is pending before the appellate authority.

Power of State to carry out certain works

30. (1) Where under this Act any conditions have been imposed on any person for bringing into use any new or altered outlet for the discharge of sewage or trade effluent into a stream or well or for making any new discharge of sewage or trade effluent into a stream or well or on any person who, immediately before the commencement of this Act, was discharging any sewage or trade effluent in a stream or well and such conditions require such person to execute any work in connection therewith and such work has not been executed within such time as may be specified in this behalf, the State Board may serve on the person concerned a notice requiring him within such time (not being less than thirty days) as may be specified in the notice to execute the work specified therein.

(2) If the person concerned fails to execute the work as required in the notice referred to in sub-section (1), then,

after the expiration of the time specified in the said notice, the State Board may itself execute or cause to be executed such work.

(3) All expenses incurred by the State Board for the execution of the aforesaid work, together with interest, at such rate as the State Government may, by order, fix, from the date when a demand for the expenses is made until it is paid, may be recovered by that Board from the person concerned, as arrears of land revenue, or of public demand.

Furnishing of information to State Boards and other agencies in certain cases

31. (1) If at any place where any industry or trade is being carried on, due to accident or other unforeseen act or event, any poisonous, noxious or polluting matter is being discharged, or is likely to be discharged into a stream or well and, as a result of such discharge, the water in such stream or well is being polluted, or is likely to be polluted, then, the person in charge of such place shall forthwith intimate the occurrence of such accident, act or event to the State Board and to such other authorities or agencies as may be prescribed.

(2) Where any local authority operates any sewerage system or sewage works, the provisions of sub-section (1) shall apply to such local authority as they apply in relation to the person in charge of the place where any industry or trade is being carried on.

Emergency measures in case of pollution of stream or well

32. (1) Where it appears to the State Board that any poisonous, noxious or polluting matter is present in any stream or well or has entered into that stream or well due to any accident or other unforeseen act or event, and if the Board is of opinion that it is necessary or expedient to take immediate action, it may for reasons to be recorded in writing, carry out such operations as it may consider necessary for all or any of the following purposes, that is to say,—

- (a) removing that matter from the stream or well and disposing it of in such manner as the Board considers appropriate ;

- (b) remedying or mitigating any pollution caused by its presence in the stream or well ;
- (c) issuing orders immediately restraining or prohibiting the person concerned from discharging any poisonous, noxious or polluting matter into the stream or well, or from making insanitary use of the stream or well.

(2) The power conferred by sub-section (1) does not include the power to construct any works other than works of a temporary character which are removed on or before the completion of the operations.

Power of Board to make application to courts for restraining apprehended pollution of water in streams or wells

33. (1) Where it is apprehended by a Board that the water in any stream or well is likely to be polluted by reason of the disposal of any matter therein or of any likely disposal of any matter therein, or otherwise, the Board may make an application to a court, not inferior to that of a Presidency Magistrate or a Magistrate of the first class, for restraining the person who is likely to cause such pollution from so causing.

(2) On receipt of an application under sub-section (1) the court may make such order as it deems fit.

(3) Where under sub-section (2) the court makes an order restraining any person from polluting the water in any stream or well, it may in that order—

- (i) direct the person who is likely to cause or has caused the pollution of the water in the stream or well, to desist from taking such action as is likely to cause pollution or, as the case may be, to remove from such stream or well, such matter, and
- (ii) authorise the Board, if the direction under clause (i) (being a direction for the removal of any matter from such stream or well) is not complied with by the person to whom such direction is issued, to undertake the removal and disposal of the matter in such manner as may be specified by the court.

(4) All expenses incurred by the Board in removing any matter in pursuance of the authorisation under clause (ii) of sub-section (3) or in the disposal of any such matter may be defrayed out of any money obtained by the Board from such disposal and any balance outstanding shall be recoverable from the person concerned as arrears of land revenue or of public demand.

CHAPTER VI

FUNDS, ACCOUNTS AND AUDIT

Contributions by Central Government

34. The Central Government may, after due appropriation made by Parliament by law in this behalf, make in each financial year such contributions to the Central Board as it may think necessary to enable the Board to perform its functions under this Act.

Contributions by State Government

35. The State Government may, after due appropriation made by the Legislature of the State by law in this behalf, make in each financial year such contributions to the State Board as it may think necessary to enable that Board to perform its functions under this Act.

Fund of Central Board

36. (1) The Central Board shall have its own fund, and all sums which may, from time to time, be paid to it by the Central Government and all other receipts (by way of gifts, grants, donations, benefactions or otherwise) of that Board shall be carried to the fund of the Board and all payments by the Board shall be made therefrom.

(2) The Central Board may expend such sums as it thinks fit for performing its functions under this Act, and such sums shall be treated as expenditure payable out of the fund of that Board.

Fund of State Board

37. (1) The State Board shall have its own fund, and the sums which may, from time to time, be paid to it by the State

Government and all other receipts (by way of gifts, grants, donations, benefactions or otherwise) of that Board shall be carried to the fund of the Board and all payments by the Board shall be made therefrom.

(2) The State Board may expend such sums as it thinks fit for performing its functions under this Act, and such sums shall be treated as expenditure payable out of the fund of that Board.

Budget

38. The Central Board or, as the case may be, the state Board shall, during each financial year, prepare, in such form and at such time as may be prescribed, a budget in respect of the financial year next ensuing showing the estimated receipt and expenditure, and copies thereof shall be forwarded to the Central Government or, as the case may be, the State Government.

Annual report

39. (1) The Central Board shall during each financial year, prepare, in such form and at such time as may be prescribed, an annual report giving a true and full account of its activities during the previous financial year and copies thereof shall be forwarded to the Central Government and that Government shall cause every such report to be laid before both Houses of Parliament within six months of the date on which it is received by that Government.

(2) The State Board shall, during each financial year, prepare, in such form and at such time as may be prescribed, an annual report giving a true and full account of its activities during the previous financial year and copies thereof shall be forwarded to the State Government and that Government shall cause every such report to be laid before the State Legislature within a period of six months of the date on which it is received by that Government.

Accounts and audit

40. (1) Every Board shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed by the Central Government or, as the case may be, the State Government.

(2) The accounts of the Board shall be audited by an auditor duly qualified to act as an auditor of companies under section 226 of the Companies Act, 1956 (1 of 1956).

(3) The said auditor shall be appointed by the Central Government or, as the case may be, the State Government on the advice of the Comptroller and Auditor General of India.

(4) Every auditor appointed to audit the accounts of the Board under this Act shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Board.

(5) Every such auditor shall send a copy of his report together with an audited copy of the accounts to the Central Government or, as the case may be, the State Government.

(6) The Central Government shall, as soon as may be after the receipt of the audit report under sub-section (5), cause the same to be laid before both Houses of Parliament.

(7) The State Government shall, as soon as may be after the receipt of the audit report under sub-section (5), cause the same to be laid before the State Legislature.

CHAPTER VII

PENALTIES AND PROCEDURE

Failure to comply with directions under sub-section (2) or sub-section (3) of section 20 or orders issued under clause (c) of sub-section (1) of section 32

41. (1) Whoever fails to comply with any direction given under sub-section (2) or sub-section (3) of section 20 within such time as may be specified in the direction or fails to comply with any orders issued under clause (c) of sub-section (1) of section 32 shall, on conviction, be punishable with imprisonment for a term which may extend to three months or with fine which may extend to five thousand rupees or with both and in case the failure continues, with an additional fine which may extend to one thousand rupees for every day during which such failure continues after the conviction for the first such failure.

(2) Whoever fails to comply with any direction issued by a court under sub-section (2) of section 33 shall, on conviction, be punishable with imprisonment for a term which may extend to three months or with fine which may extend to five thousand rupees or with both and in case the failure continues, with an additional fine which may extend to one thousand rupees for every day during which such failure continues or the first such failure.

Penalty for certain acts

42. (1) Whoever—

- (a) destroys, pulls down, removes, injures or defaces any pillar, post or stake fixed in the ground or any notice or other matter put up, inscribed or placed, by or under the authority of the Board, or
- (b) obstructs any person acting under the orders or directions of the Board from exercising his powers and performing his functions under this Act, or
- (c) damages any works or property belonging to the Board, or
- (d) fails to furnish to any officer or other employee of the Board any information required by him for the purpose of this Act, or
- (e) fails to intimate the occurrence of any accident or other unforeseen act or event under section 31 to the Board and other authorities or agencies as required by that section, or
- (f) in giving any information which he is required to give under this Act, knowingly or wilfully makes a statement which is false in any material particular,
- (g) for the purpose of obtaining any consent under section 25 or section 26, knowingly or wilfully makes a statement which is false in any material particular.

shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to one thousand rupees or with both.

(2) Where for the grant of a consent in pursuance of the provisions of section 25 or section 26 the use of a meter or

gauge or other measure or monitoring device is required and such device is used for the purposes of those provisions, any person who knowingly or wilfully alters or interferes with that device so as to prevent it from monitoring or measuring correctly shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to one thousand rupees or with both.

Penalty for contravention of provisions of section 24

43. Whoever contravenes the provisions of section 24 shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to six years and with fine.

Penalty for contravention of section 25 or section 26

44. Whoever contravenes the provisions of section 25 or section 26 shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to six years and with fine.

Enhanced penalty after previous conviction

45. If any person who has been convicted of any offence under section 24 or section 25 or section 26 is again found guilty of an offence involving a contravention of the same provision, he shall, on the second and on every subsequent conviction, be punishable with imprisonment for a term which shall not be less than one year but which may extend to seven years and with fine :

Provided that for the purpose of this section no cognizance shall be taken of any conviction made more than two years before the commission of the offence which is being punished.

Publication of names of offenders

46. If any person convicted of an offence under this Act commits a like offence afterwards it shall be lawful for the court before which the second or subsequent conviction takes place to cause the offender's name and place of residence, the offence and the penalty imposed to be published at the offender's expense in such newspapers or in such other manner as the court may direct and the expenses of such publication shall be deemed to be part of the cost attending

the conviction and shall be recoverable in the same manner as a fine.

Offences by companies

47. (1) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of, and was responsible to the company for the conduct of, the business of the company as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly :

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

- (a) "company" means any body corporate, and includes a firm or other association of individuals ; and
- (b) "director" in relation to a firm means a partner in the firm.

Offences by Government Departments

48. Where an offence under this Act has been committed by any Department of Government, the Head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly :

Provided that nothing contained in this section shall render such Head of the Department liable to any punishment if he

proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

Cognizance of offences

49. (1) No court shall take cognizance of any offence under this Act except on a complaint made by, or with the previous sanction in writing of the State Board, and no court inferior to that of a Presidency Magistrate or a Magistrate of the first class shall try any offence punishable under this Act.

(2) Notwithstanding anything contained in section 32 of the Code of Criminal Procedure, 1898 5 of 1898, it shall be lawful for any Magistrate of the first class or for any Presidency Magistrate to pass a sentence of imprisonment for a term exceeding two years or of fine exceeding two thousand rupees on any person convicted of an offence punishable under this Act.

Members, officers and servants of Board to be public servants

50. All members, officers and servants of a Board when acting or purporting to act in pursuance of any of the provisions of this Act and the rules made thereunder shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860).

CHAPTER VIII

MISCELLANEOUS

Central Water Laboratory

51. (1) The Central Government may, by notification in the Official Gazette,—

- (a) establish a Central Water Laboratory ; or
- (b) specify any laboratory or institute as a Central Water Laboratory, to carry out the functions entrusted to the Central Water Laboratory under this Act.

(2) The Central Government may, after consultation with the Central Board, make rules prescribing—

- (a) the functions of the Central Water Laboratory ;
- (b) the procedure for the submission to the said laboratory of samples of water or of sewage or trade effluent for analysis or tests, the form of the laboratory's report thereunder and the fees payable in respect of such report ;
- (c) such other matters as may be necessary or expedient to enable that laboratory to carry out its functions.

State Water Laboratory

52. (1) The State Government may, by notification in the Official Gazette,—

- (a) establish a State Water Laboratory ; or
- (b) specify any laboratory or institute as a State Water Laboratory, to carry out the functions entrusted to the State Water Laboratory under this Act.

(2) The State Government may, after consultation with the State Board, make rules prescribing—

- (a) the functions of the State Water Laboratory ;
- (b) the procedure for the submission to the said laboratory of samples of water or of sewage or trade effluent for analysis or tests, the form of the laboratory's report thereon and the fees payable in respect of such report ;
- (c) such other matters as may be necessary or expedient to enable that laboratory to carry out its functions.

Analysts

53. (1) The Central Government may, by notification in the Official Gazette, appoint such persons as it thinks fit and having the prescribed qualifications to be Government analysts for the purpose of analysis of samples of water or

of sewage or trade effluent sent for analysis to any laboratory established or specified under sub-section (1) of section 51.

(2) The State Government may, by notification in the Official Gazette, appoint such persons as it thinks fit and having the prescribed qualifications to be Government analysts for the purpose of analysis of samples of water or of sewage or trade effluent sent for analysis to any laboratory established or specified under sub-section (1) of section 52.

(3) Without prejudice to the provisions of sub-section (3) of section 12, the Central Board or, as the case may be, the State Board may, by notification in the Official Gazette, and with the approval of the Central Government or the State Government, as the case may be, appoint such persons as it thinks fit and having the prescribed qualifications to be Board analysts for the purpose of analysis of samples of water or of sewage or trade effluent sent for analysis to any laboratory established or recognised under section 16, or, as the case may be, under section 17.

Reports of analysts

54. Any document purporting to be a report signed by a Government analyst or, as the case may be, a Board analyst may be used as evidence of the facts stated therein in any proceeding under this Act.

Local authorities to assist

55. All local authorities shall render such help and assistance and furnish such information to the Board as it may require for the discharge of its functions, and shall make available to the Board for inspection and examination such records, maps, plans and other documents as may be necessary for the discharge of its functions.

Compulsory acquisition of land for the State Board

56. Any land required by a State Board for the efficient performance of its functions under this Act shall be deemed to be needed for a public purpose and such land shall be acquired for the State Board under the provisions of the Land Acquisition Act, 1894 1 of 1894, or under any other corresponding law for the time being in force.

**Returns and reports**

57. The Central Board shall furnish to the Central Government, and a State Board shall furnish to the State Government and to the Central Board such reports, returns, statistics, accounts and other information with respect to its fund or activities as that Government, or, as the case may be, the Central Board may, from time to time, require.

Bar of jurisdiction

58. No civil court shall have jurisdiction to entertain any suit or proceeding in respect of any matter which an appellate authority constituted under this Act is empowered by or under this Act to determine, and no injunction shall be granted by any court or other authority in respect of any action taken or to be taken in pursuance of any power conferred by or under this Act.

Protection of action taken in good faith

59. No suit or other legal proceedings shall lie against the Government or any officer of Government or any member or officer of a Board in respect of anything which is in good faith done or intended to be done in pursuance of this Act or the rules made thereunder.

Over-riding effect

60. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this act.

Power of Central Government to supersede the Central Board and Joint Boards

61. (1) If at any time the Central Government is of opinion—

- (a) that the Central Board or any Joint Board has persistently made default in the performance of the functions imposed on it by or under this Act ; or
- (b) that circumstances exist which render it necessary in the public interest so to do,

the Central Government may, by notification in the Official Gazette, supersede the Central Board or such Joint Board, as the case may be, for such period, not exceeding one year, as may be specified in the notification :

Provided that before issuing a notification under this sub-section for the reasons mentioned in clause (a), the Central Government shall give a reasonable opportunity to the Central Board or such Joint Board, as the case may be, to show cause why it should not be superseded and shall consider the explanations and objections, if any, of the Central Board or such Joint Board, as the case may be.

(2) Upon the publication of a notification under sub-section (1) superseding the Central Board or any Joint Board,—

- (a) all the members shall, as from the date of supersession vacate their offices as such ;
- (b) all the powers, functions and duties which may, by or under this Act, be exercised, performed or discharged by the Central Board or such Joint Board shall, until the Central Board or the Joint Board, as the case may be, is reconstituted under sub-section (3) be exercised, performed or discharged by such person or persons as the Central Government may direct ;
- (c) all property owned or controlled by the Central Board or such Joint Board shall until the Central Board or the Joint Board, as the case may be, is reconstituted under sub-section (3) vest in the Central Government.

(3) On the expiration of the period of supersession specified in the notification issued under sub-section (1), the Central Government may—

- (a) extend the period of supersession for such further term, not exceeding six months, as it may consider necessary ; or
- (b) reconstitute the Central Board or the Joint Board, as the case may be, by fresh nomination or appointment, as the case may be, and in such case any person who vacated his office under

clause (a) of sub-section (2) shall not be deemed disqualified for nomination or appointment :

Provided that the Central Government may at any time before the expiration of the period of supersession, whether originally specified under sub-section (1) or as extended under this sub-section, take action under clause (b) of this sub-section.

Power of State Government to supersede State Board

62. (1) If at any time the State Government is of opinion—

- (a) that the State Board has persistently made default in the performance of the functions imposed on it by or under this Act ; or
- (b) that circumstances exist which render it necessary in the public interest so to do,

the State Government may, by notification in the Official Gazette, supersede the State Board for such period, not exceeding one year, as may be specified in the notification :

Provided that before issuing a notification under this sub-section for the reasons mentioned in clause (a), the State Government shall give a reasonable opportunity to the State Board to show cause why it should not be superseded and shall consider the explanations and objections, if any, of the State Board.

(2) Upon the publication of a notification under sub-section (1) superseding the State Board, the provisions of sub-sections (2) and (3) of section 61 shall apply in relation to the supersession of the State Board as they apply in relation to the supersession of the Central Board or a Joint Board by the Central Government.

Power of Central Government to make rules

63. (1) The Central Government may, simultaneously with the constitution of the Central Board, make rules in respect of the matters specified in sub-section (2) :

Provides that when the Central Board has been constituted, no such rule shall be made, varied, amended or repealed without consulting the Board.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :—

- (a) the terms and conditions of service of the members (other than the chairman and member-secretary) of the Central Board under sub-section (8) of section 5 ;
- (b) the intervals and the time and place at which meetings of the Central Board or of any committee thereof constituted under this Act, shall be held and the procedure to be followed at such meetings, including the quorum necessary for the transaction of business under section 8, and under sub-section (2) of section 9 ;
- (c) the fees and allowances to be paid to such members of a committee of the Central Board as are not members of the Board under sub-section (3) of section 9 ;
- (d) the manner in which and the purposes for which persons may be associated with a Board under sub-section (1) of section 10 ;
- (e) the terms and conditions of service of the chairman and the member-secretary of the Central Board under sub-section (9) of section 5 and under sub-section (1) of section 12 ;
- (f) conditions subject to which a person may be appointed as a consulting engineer to the Central Board under sub-section (4) of section 12 ;
- (g) the powers and duties to be exercised and performed by the chairman and the member-secretary of the Central Board ;
- (h) the prohibition or regulation of bathing in any stream or well or the washing or cleaning therein of things of any class or description, or the putting of litter or other objectionable matter, whether poisonous, noxious or polluting or not into any stream or well ;
- (i) the prohibition or regulation of the keeping or use, on any stream, of vessels provided with

sanitary appliances from which polluting matter passes into the stream ;

- (j) the form of the report of the Central Board analyst under sub-section (1) of section 22 ;
- (k) the form of the report of the Government analyst under sub-section (3) of section 22 ;
- (l) the form in which, and the time within which, the budget and annual report of the Central Board may be prepared and forwarded to the Central Government under sections 38 and 39 ;
- (m) the form in which the accounts of the Central Board may be maintained under section 40 ;
- (n) any other matter relating to the Central Board, including the powers and functions of that Board in relation to Union territories ;
- (o) any other matter which has to be, or may be, prescribed.

(3) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is so laid or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be ; so, however, that any such modification or annulment shall be without prejudice to the validity of any thing previously done under that rule.

Power of State Government to make rules

64. (1) The State Government may, simultaneously with the constitution of the State Board, make rules to carry out the purposes of this Act in respect of matters not falling within the purview of section 63 :

Provided that when, the State Board has been constituted, no such rule shall be made, varied, amended or repealed without consulting that Board.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :—

- (a) the terms and conditions of service of the members (other than the chairman and the member-secretary) of the State Board under sub-section (8) of section 5 ;
- (b) the time and place of meetings of the State Board or of any committee of that Board constituted under this Act and the procedure to be followed at such meeting including the quorum necessary for the transaction of business under section 8 and under sub-section (2) of section 9 ;
- (c) the fees and allowances to be paid to such members of a committee of the State Board as are not members of the Board under sub-section (2) of section 9 ;
- (d) the manner in which and the purposes for which persons may be associated with the State Board under sub-section (1) of section 10 ;
- (e) the terms and conditions of service of the chairman and the member-secretary of the State Board under sub-section (9) of section 5 and under sub-section (1) of section 12 ;
- (f) the conditions subject to which a person may be appointed as a consulting engineer to the State Board under sub-section (4) of section 12 ;
- (g) the powers and duties to be exercised and discharged by the chairman and the member-secretary of the State Board ;
- (h) the form of the notice referred to in section 21 ;
- (i) the form of the report of the State Board analyst under sub-section (1) of section 22 ;

- (j) the form of the report of the Government analyst under sub-section (3) of section 22 ;
- (k) the form of application for the consent of the State Board under sub-section (2) of section 25, and the particulars it may contain ;
- (l) the manner in which inquiry under sub-section (3) of section 25 may be made in respect of an application for obtaining consent of the State Board and the matters to be taken into account in granting or refusing such consent ;
- (m) the form and manner in which appeals may be filed, the fees payable in respect of such appeals and the procedure to be followed by the appellate authority in disposing of the appeals under sub-section (3) of section 28 ;
- (n) the form in which, and the time within which, the budget and annual report of the State Board may be prepared and forwarded to the State Government under sections 38 and 39 ;
- (o) the form in which the accounts of the State Board may be maintained under sub-section (1) of section 40 ;
- (p) any other matter which has to be, or may be, prescribed.

**THE WATER (Prevention and Control of Pollution)
AMENDMENT ACT, 1978**

No. 44 OF 1978

(12th December, 1978)

An Act to amend the Water (Prevention and
Control of Pollution) Act, 1974

Whereas, in pursuance of clause (1) of article 252 of the Constitution, the Water (Prevention and Control of Pollution) Act, 1974, had been passed by Parliament ;

And whereas from the practical experience gained in the working of the aforesaid Act it is considered necessary to make certain amendments thereto ;

And whereas, in pursuance of clause (1) of article 252 of the Constitution read with clause (2) thereof, resolution have been passed by the Legislative Assemblies of the States of Assam, Haryana and West Bengal to the effect that the said Act should be amended by an Act of Parliament for the purposes hereinafter appearing ;

Be it enacted by Parliament in the Twenty-ninth Year of the Republic of India as follows :—

Short title, application and commencement

1. (1) This Act may be called the Water (Prevention and Control of Pollution) Amendment Act, 1978.

(2) It applies in the first instance, to the whole of the States of Assam, Haryana and West Bengal and the Union territories ; and it shall apply to such other State which adopts this Act by resolution passed in that behalf under clause (1) of article 252 of the Constitution read with clause (2) thereof.

(3) It shall come into force, at once in the States of Assam, Haryana and West Bengal and the Union territories, and in any other State which adopts this Act under clause (1) of article 252 of the Constitution read with clause (2) thereof on the date of such adoption and any reference in section 22 of this Act of the commencement of this Act shall, in relation to any State or Union territory, mean the date on which this Act comes into force in such State or Union territory.

STATEMENT OF OBJECTS AND REASONS

In the process of implementation of the Water (Prevention and Control of Pollution) Act 1974, in various States, certain drawbacks have come to the notice of the Government and consequently it has become necessary to make certain amendments in the Act.

2. Section 44 of the Act requires that those State Governments which have adopted the Act should set up the State Boards within six months from the date of adoption.

One of the fifteen States which have so far adopted the Act, has not set up the State Board within this time limit. It has been felt that the prescribed time limit of six months for constitution of the State Boards may be done away with. Further, it has come to the notice of the Government that some State Government have set up the State Boards after the prescribed time limit of six months. It is, therefore, necessary to regularise the setting up of these Boards and also the action of the State Boards constituted after the prescribed time limit of six months.

3. Moreover, certain States are finding it difficult to provide a full-time Chairman for the State Boards. It is, therefore, proposed to amend the Act to provide for the appointment of a Chairman of the State Board either on full-time or on part-time, depending on the specific situation and as the State Government thinks fit.

4. It is felt that there should be an integrated approach for tackling the water and air pollution problem. It is, therefore, proposed that the existing Boards for the Prevention and Control of Water Pollution should also be authorised to perform functions relating to the prevention, control and abatement of air pollution. The Government have already introduced a Bill namely, the Air (Prevention and Control of Pollution) Bill, 1978, in the Lok Sabha on the 17th April, 1978. It has thus become necessary to authorise the Central Board and the State Boards for the Prevention and Control of Water Pollution to spend from their funds for performing functions relating to prevention, control and abatement of air pollution also.

5. In addition, certain other minor amendments are also proposed in the Bill.

Amendment of section 2

2. In section 2 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) (hereinafter referred to as a principal Act),—

- (a) after clause (d), the following clause shall be inserted, namely) :—
- (dd) "outlet" includes any conduit pipe or channel, open or closed, carrying sewage or trade effluent

or any other holding arrangement which causes, or is likely to cause, pollution” ;

(b) after clause, (g) the following clause shall be inserted, namely :—

(gg) “sewer” means any conduit pipe or channel, open or closed, carrying sewage or trade effluent.

Amendment of section 3

3. In section 3 of the principal Act, in sub-section (2),—

(a) in clause (a), for the words “matters relating to the use and conservation of water resources or the prevention and control of water pollution”, the words “matters relating to environmental protection” shall be substituted ;

(b) in clause (b), for the words “five officials”, the words “such number of officials, not exceeding five,” shall be substituted ;

(c) in clause (d), for the words “three non-officials”, the words “such number of non-officials, not exceeding three,” shall be substituted ;

(d) in clause (f), for the words “and having administrative experience”, the words “and having practical experience in respect of matters relating to environmental protection” shall be substituted.

Amendment of section 4

4. In section 4 of the principal Act,—

(a) in sub-section (1), the brackets and words “(being a date not later than six months of the commencement of this Act in the State)” shall be omitted and shall be deemed always to have been omitted ;

(c) in sub-section (2),—

(i) in clause (a),—

(1) the word “full-time” shall be omitted ;

PART VII

89

(2) for the words "matters relating to the use and conservation of water resources or the prevention and control of water pollution" the words "matters relating to environmental protection" shall be substituted ;

(3) the following proviso shall be inserted at the end namely :—

"Provided that the chairman may be either whole-time or part-time as the State Government may think fit" ;

- (ii) in clause (b), for the words "five officials", the words "such number of officials, not exceeding five", shall be substituted ;
- (iii) in clause (c), for the word "five persons", the words "such number of persons, not exceeding five", shall be substituted ;
- (iv) in clause (d), for the words "three non-officials", the words "such number of non-officials, not exceeding three", shall be substituted ;
- (v) in clause (f), for the words, "and having administrative experience", the words "and having practical experience in matters relating to environmental protection" shall be substituted.

Amendment of section 5

5. In section 5 of the principal Act, —

(a) for sub-section (2), the following sub-section shall be substituted, namely :—

"(2) The term of office of a member of a Board nominated under clause (b) or clause (e) of sub-section (2) of section (3) or clause (b) or clause (e) of sub-section (2) of section 4 shall come to an end as soon as he ceases to hold the office under the Central Government or the State Government or, as the case may be, the company or corporation owned, controlled or managed by the Central Government or the State Government, by virtue of which he was nominated."

(b) in sub-section (5), for the words, brackets, letters and figures "or where he is nominated under clause (c) of sub-section (2) of section 3 or under clause (c) of sub-section (2) of section 4, if he ceases to be a member of the State Board, or as the case may be of the local authority", the following shall be substituted, namely :—

"or where he is nominated under clause (c) or clause (e) of sub-section (2) of section 3 or under clause (c) or clause (e) of sub-section (2) of section 4, if he ceases to be a member of the State Board or of the local authority or, as the case may be, of the company or corporation owned, controlled or managed by the Central Government or the State Government and such vacation of seat shall, in either case, take effect from such date as the Central Government or, as the case may be, the State Government may, by notification in the Official Gazette, specify".

6. In section 10 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely :—

(3) "A person associated with the Board under sub-section (1) for any purpose shall be paid such fees and allowances, for attending its meetings and for attending to any other work of the Board, as may be prescribed".

Insertion of new section 11 A.

7. After section 11 of the principal Act, the following section shall be inserted, namely :—

Delegation of powers to Chairman

"11A. The Chairman of a Board shall exercise such powers and perform such duties as may prescribed or as may, from time to time, be delegated to him by the Board".

Amendment of section 12

8. In section 12 of the principal Act,—

(a) in sub-section (3), the words "and the rules so made may provide for the salaries and allowances and other terms and conditions of service of such officers and employees" shall be omitted ;



(b) after sub-section (3), the following sub-section shall be inserted, namely :—

“(3A) the method of recruitment and the terms and conditions of service (including the scales of pay) of the officers (other than the member-secretary) and other employees of the Central Board or a State Board shall be such as may be determined by regulations made by the Central Board or, as the case may be, by the State Board :

Provided that no regulation made under this sub-section shall take effect unless,—

- (a) in the case of a regulation made by the Central Board, it is approved by the Central Government ; and
- (b) In the case of a regulation made by the Central Board, it is approved by the State Government.”

Amendment of section 14

9. In section 14 of the principal Act,—

(a) in sub-section (1),—

- (i) in clause (a), for the words “matters relating to the use and conservation of water resources or the prevention and control of Water Pollution”, the words “matters relating to environmental protection” shall be substituted ;
- (ii) in clause [f], for the words “and having administrative experience”, the words “and having practical experience in respect of matters relating to environmental protection” shall be substituted ;

(b) in sub-section (2), —

- (i) in clause [a], for the words “matters relating to the use and conservation of water resources or the prevention and control of water pollution”, the words “matters relating to environmental protection” shall be substituted ;
- (ii) in clause (f), for the words “having administrative experience”, the words “and having

practical experience in respect of matters relating to environmental protection" shall be substituted.

Amendment of section 21

10. In section 21 of the principal Act, for sub-section

(4) the following sub-section shall be substituted, namely :—

(1) When a scheme of any sewage or trade effluent is taken for analysis under sub-section (1) and the person taking the sample serves on the occupier or his agent, a notice under clause (a) of sub-section (3) and the occupier or his agent wilfully absents himself, then,—

- (a) the sample so taken shall be placed in a container which shall be marked and sealed and shall also be signed by the person taking the sample and the same shall be sent forthwith by such person for analysis to the laboratory referred to in sub-clause (i) or sub-clause (ii), as the case may be of clause (e) of sub-section (3) and such person shall inform the Government analyst appointed under sub-section (1) or sub-section (2), as the case may be, of section 53, in writing about the wilful absence of the occupier or his agent ; and
- (b) the cost incurred in getting such sample analysed shall be payable by the occupier or his agent and in case of default of such payment, the same shall be recoverable from the occupier or his agent as the case may be, as an arrear of land revenue or of public demand :

Provided that no such recovery shall be made unless the occupier or, as the case may be, his agent has been given a reasonable opportunity of being heard in the matter".

Amendment of section 23

11. In section 23 of the principal Act, in sub-section (2)—

- (a) for the words and figures "the Code of Criminal Procedure, 1898", (5 of 1898), the words and



figures "the Code of Criminal Procedure, 1973" (2 of 1974) shall be substituted ;

- (b) for the word and figures "section 98", the word and figures "section 94," shall be substituted.

Amendment of section 25

12. In section 25 of the principal Act,—

- (a) in sub-section (1), for the words "stream or well" at both the places where they occur, the words "stream or well or sewer or on land" shall be substituted ;
- (b) in sub-section (2), after the words, brackets and figure "under sub-section (1)" the words "shall be accompanied with such fees as may be prescribed and" shall be inserted ;
- (c) in sub-section (4), in clause (a), for the words "stream or well" the words "stream or well or sewer or on land" shall be substituted ;
- (d) in sub-section (5), for the words "stream or well", the words "stream or well or sewer or on land" shall be substituted.

Amendment of section 26

13. In section 26 of the principal Act,—

- (a) for the words "stream or well", the words "stream or well or sewer or on land" shall be substituted ;
- (b) for the words "shall be made within a period of three months of the constitution of the State Board", the words "shall be made on or before such date as may be specified by the State Government by notification in this behalf in the Official Gazette" shall be substituted.

Amendment of section 27

14. In section 27 of the principal Act, for sub-section (2), the following sub-section shall be substituted namely :—

“(2) A State Board may from time to time review—

- (a) any condition imposed under section 25 (other than a condition to be satisfied before an outlet is brought into use or a new discharge is made), or section 26 and may serve on the person using the outlet or making the discharge, as the case may be, a notice, making any reasonable variation of or revoking any such condition ;
- (b) the refusal of any consent referred to in sub-section (1) of section 25 or section 26 or the grant of such consent without any condition, and make such orders as it deemed fit”.

Amendment of section 28

15. In section 28 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely :—

“(2) An appellate authority shall consist of a single person or three persons, as the State Government may think fit, to be appointed by that Government”.

Amendment of section 36

16. In section 36 of the principal Act,—

- (a) in sub-section (1), after the word “benefactions”, the word “fees” shall be inserted ;
- (b) in sub-section (2) after the words “under this Act”, the words “and, where any law for the time being in force relating to the prevention, control or abatement of air pollution provides for the performance of any function under such law by the Central Board, also for performing its functions under such law” shall be inserted.

Amendment of section 37

17. In section 37 of the principal Act,—

- (a) in sub-section (1), after the word “benefactions”, the word “fees” shall be inserted ;

- (b) in sub-section (2), after the word "under this Act", the words "and, where any law for the time being in force relating to the prevention, control or abatement of air pollution provides for the performance of any function under such law by the State Board, also for performing its functions under such law" shall be substituted.

Amendment of section 39

18. In section 39 of the principal Act, in sub-section (1), for the words "six months" the words "nine months" shall be substituted.

Amendment of section 49

19. In section 49 of the principal Act,—

- (a) in sub-section (1), for the words "Presidency Magistrate or a Magistrate", the words "Metropolitan Magistrate or a Judicial Magistrate" shall be substituted ;
- (b) in sub-section (2),—
 - (i) for the words and figures "section 32 of the Code of Criminal Procedure, 1898," (5 of 1898) the words and figures "section 29 of the Code of Criminal Procedure, 1973" (2 of 1974) shall be substituted.
 - (ii) for the words "Magistrate of the first class or for any Presidency Magistrate", the words, "Judicial Magistrate of the first class or for any Metropolitan Magistrate" shall be substituted.

Amendment of section 63

20. In section 63 of the principal Act,—

- (a) in sub-section (2),—
 - (i) for clause (d), the following clause shall be substituted, namely :—

"(d) the manner in which and the purposes for which persons may be associated with the Central

Board under sub-section (1) of section 10 and the fees and allowances payable to such persons” ;

(ii) clauses (h) and (i) shall be omitted ;

(b) in sub-section (3), for the words “before the expiry of the session in which it is so laid or the successive sessions aforesaid”, the words “before the expiry of the session immediately following the session or the successive sessions aforesaid” shall be substituted.

Amendment of section 64

21. In section 64 of the principal Act, in clause (d) of sub-section (2), the words “and the fees and allowances payable to such persons” shall be inserted at the end.

Validation

22. Notwithstanding anything contained in section 4 of the principal Act, as it stood immediately before the commencement of this Act, every State Board for the prevention and control of water pollution constituted under that section after the expiry of a period of six months of the commencement of the principal Act in the State concerned, shall be deemed to have been validly constituted and accordingly anything done or any action taken by such State Board before the commencement of this Act shall be deemed to have been validly done or taken and no such thing or action shall be called in question in any court merely on the ground that such State Board was constituted after the expiry of the period specified therefor under the said section 4.

PART VIII

INTERNATIONAL ORGANIZATIONS ENGAGED IN ENVIRONMENTAL PROTECTION

1. Dr. Kenton Miller
International Union for the Conservation of Nature
& Natural Resources (IUCN)
Avenue Du Mont Blanc
CH-1196 Gland, Switzerland
2. Dr. Kazi F. Jalal
Officer Incharge
Regional Office and Regional Representative
for the ESCAP Region
Environmental Coordination Unit
Economic and Social Commission for Asia and the Pacific
The United Nations Building, (10th Floor)
Rajdamneru Avenue, Bangkok-2
3. Mr. D. Larre
Director
Industry & Environment Office
United Nations Environment Programme (UNEP)
17, Rue Marguerite
75017 Paris, France
4. Mr. Wo Yen Lee
Acting Director UNEP/INFOTERRA
United Nations Environment Programme (UNEP)
P.O. Box 30552
Nairobi, Kenya
5. Mr. Boris A. Senunov
Deputy Director General
Department of Nuclear Energy and Safety
Wagramnerstrasse 5
P.O. Box 100
A-1400 Vienna, Austria
6. Office of the United Nations Disaster
Relief Coordinator (UNDRO)
Attention : Mr. C. Kerpelman
Chief
Data and Communications Unit
Palais Des Nations
CH-1211 Geneva 10, Switzerland

7. Coordonnateur Du Resean International
UNESCO, Programme De L' Education
Relative A L' Environnement
7, Place De Fontenoy
Paris 75700, France
8. Mr. Lars Ennelin, Kommit
Committee on the Environment
University of Trondheim
7034 Trondheim-NTH, Norway
9. Department of Home Affairs and the Environment
Environment Division
CML Building
University Avenue
Canberra City, ACT 2601
P.O. Box 1252
Canberra City, Australia
10. Science & Technology Division
Government of the People's Republic of Bangladesh
Building No. 7, Flat No. 8
Eskaton Garden Road
Dacca, Bangladesh
11. Ministry of the Interior
Special Secretariat for the Environment (SEMA)
Esplanada Dos Ministerios, Projecnao 23
20 Andar, Sala 209
Brasilia, DF-70054, Brazil
12. Department of the Environment
Fontaine Building
Ottawa
Ontario KIA OH3, Canada
13. Office of the Environment Protection Leading
Group of the State Council of the People's
Republic of China
Beijing, China
14. Ministry for Environment
Slotsholmsgade 12
DK-1216 Copenhagen K
Denmark

PART VIII**99**

15. **Academy of Scientific Research & Technology**
101, Kasr El Eini Street, Cairo, Egypt
16. **Ministry De l' Environment**
14 Boulevard Du General Leclerc
92521 Neuilly Sur Seine Cedex
France
17. **Ministry of Environmental Protection
and Water Management**
1020 Berlin
German Democratic Republic
18. **Bundesministerium Des Innern**
Ul 4
Graurheindorferstra Be 198
5300 Bonn, West Germany
19. **Ministry of Coordination**
Secretariat of the National Council for
Physical Planning and the Environment
1 Zalakosta Street
Athens 134, Greece
20. **Environment and Water Supply in the**
Ministry of Public Welfare
Somestretch Avenue
D'Urban Park
Georgetown, Guyana
21. **Instansi Menteri Negara Urusan Pengawasan**
Pembangunan Dan Lingkungan Hidup
JLN. Merdeka Barat No. 15
Jakarta-Pusat, Indonesia
22. **Department of the Environment**
Custom House
Dublin 1, Ireland
23. **Ministry for Scientific and Technological Research**
Lungotevere Thaon Di Revel, 76
Rome, Italy
24. **Environment Agency**
3-1-1, Kasumigaseki
Chiyoda-Ku
Tokyo, Japan



25. Ministry of Environment and Natural Resources
Kencom House
P.O. Box 30126
Nairobi, Kenya
26. Ministry of Foreign Affairs
P.O. Box 20061
2500 EB's-Gravenhage
The Netherlands
27. Commission for the Environment
P.O. Box 10241
Wellington, Newzealand
28. Ministry of Environment
P.O. Box 8013
Dep : N-OS101, Norway
29. Council for Conservation of Environment
and Prevention of Pollution
P.O. Box 5310, Ruwi
Sultanate of Oman
30. Environment and Urban Affairs Division
Ministry of Housing and Works
Islamabad, Pakistan
31. Ministerio De Planificaciony Politica Economica
Calle 6a., Plaza Catedral
Apartado Postal No. 26 94, Zona 3
Ciudad De Panama
32. National Environmental Protection Council
6th Floor, Phhca Building
East Avenue, Diliman
Quezon City
Metro Manila, Phillippines
33. Ministry of Administration, Local Economy and
Environmental Protection
Filtrowa St. 57
02-056 Warsaw, Poland
34. Office of Environment
5-1 Gongpyung-Dong
Chongro-Ku
Seoul, Korea

PART VIII

101

35. Ministerio De Obras Publicasy Urbanismo
Nuevos Ministerios
Madrid 3, Spain
36. Ministry of Agriculture and Environment
Fack
10310 Stockholm, Sweden
37. Swiss Federal Office for the Protection of the Environment
Federal Department of the Interior
CH-3003 Berne
Switzerland
38. UNEPCOM
Gorky Street, 11
Moscow, USSR
39. High Committee of Environment
Ministry of Health
P.O. Box 848 and 541
Abu Dhabi
40. The Department of the Environment
2 Marsham Street
London SW1P 3 EB
England
41. U. S. Environmental Protection Agency
401 M. Street
Washington D.C. 20460, U.S.A.
42. Director
Internationel Centre for Training in
Environmental Sciences (CIFCA)
Serrano, 23, Madrid, Spain
43. The Chairman
IUCN Traffic Group
C/o Fauna Protection Society
Zoological Society of London
Regents Park
London NW1 4 RY, U.K.
44. The Director General
World Wildlife Fund (WWF)
LA Graciense
CH. 1110-Morges, Switzerland



45. Director
Technical Cooperation Division
Inter-Governmental Maritime Consultative
Organisation (IMCO)
101-104, Piccadilly
London W1V 0AE, United Kingdom
46. De Utscher Naturschutzring E.V.
Bundesverband F. Umweltschutz
Postfach 320201—Kalkulstr. 24
Boon 3 (Obserkassel) 5300
F.D.R.
47. Secretary General
Hellenic Association on Environmental Pollution
14, Xenophonos Street
Athens, 118, Greece
48. Secrétaire General
Inter-Environment/Bond Beter Liefverlief
25, Rue D'orlong
Bruxelles B-1040, Belgium
49. Director
Taraxacum Club (An International Association of
Environmental Experts (TC))
Radegunderstr 6,
Graz A-8045, Austria
50. Executive Director
Bahamas National Trust (BNT)
P.O. Box N-4105,
Nassau, N.P., Bahamas
51. U. S. NFP INFOTERRA (Room 2903 PM 211A)
U. S. Environmental Protection Agency
401 M Street S.W.
Washington DC 20 460, U.S.A.
52. Information Officer
Committee for Environmental Conservation (COENCO)
Zoological Gardens, Regents Park
London NW1 4 RY, U.K.



IMPORTANT WORLD ORGANIZATIONS WORKING ON ENVIRONMENT

1. United Nations Educational, Scientific and Cultural Organization (UNESCO)
Head Quarters, 7 Place de Fontenoy
75700 Paris, France
2. Food and Agriculture Organization of United Nations (FAO)
Via delle Terme di Caracalla
00100 Rome, Italy
3. The World Bank
1818 H. Street, N. W. Washington DC
U. S. A.
4. World Health Organization (WHO)
Regional Office of South-East Asia
World Health House
Indraprastha Estate, Ring Road
New Delhi-110 001
5. United Nations Children's Fund (UNICEF)
East India Office
26 Lee Road, Calcutta-700 020
6. United Nations Volunteers/United Nations Development Projects
Palais des Nations
CH 1211, Geneva, Switzerland
7. International Union for Conservation of Nature and Natural Resources (IUCN), Avenue Du Mont Blanc
CH-1196, Gland, Switzerland
8. United Nation Environment Programme (UNEP)
P. O. Box 30552, Nairobi, Kenya
9. National Environmental Engineering Research Institute (NEERI)
Nelem Marg, Nagpore-20
Calcutta Office
23, R. N. Mukherjee Road, 4th Floor, Calcutta-1
10. International Atomic Energy Agency
1010 Vienna, Austria



11. International Development Research Centre
P. O. Box 8500, Ottawa, K1G 3H9 Canada
12. International Institute for Hydraulic & Environmental
Engineering (IHE)
P. O. Box 3015, 2001 DA Delft,
The Netherlands
13. International Association for Religious Freedom (IARF)
Dreieichstrasse 59
D-6000 Frankfurt 70, F R Germany
14. Environmental Protection Agency
Environmental Research Laboratory
Sabine Island, Gulf Breeze, FLA 32561,
U. S. A.
15. Institute of Marine and Coastal Studies
University of Southern California
Avalon, California 90704
U. S. A.
16. Agriculture, Man, Ecology
Groenekanseweg 90
3737 AH Groenekan
The Netherlands

**WORLD ORGANIZATIONS WHO ASSIST/SPONSOR
INTERNATIONAL SEMINARS, SYMPOSIA AND
OTHER ACTIVITIES ON ENVIRONMENTAL/
BIOLOGICAL SUBJECTS**

1. Committee on Science and Technology in
Developing Countries (COSTED)
Dr. S. Radhakrishna
Scientific Secretary, COSTED
Department of Physics
I.I.T. Madras 600 036
2. International Union of Biological Science (IUBS)
Prof. E. S. Ayensu
Secretary General IUBS
9200 Wilmetts Courts
Bethesda, MD 20817
U.S.A.

3. International Council of Scientific Unions (ICSU)
51, BD DE Montmoveney
75016 Paris, France
4. Indian Association of Biological Sciences (IABS)
Prof. T. M. Das
Life Science Centre
Calcutta University
35, Ballygunge Circular Road
Calcutta-700 019

Advance information about holding of International Seminars and Symposia on Environmental/Biological subjects are regularly published in INDIAN BIOLOGIST, the official organ of Indian Association of Biological Sciences (IABS). Please contact Prof. T. M. Das for free copies of such information.



PART IX

General guidelines for submitting applications for financial supports for Research Schemes/Projects, Seminars, Symposia, Workshops at national and international levels, Deputation/Delegation abroad, Foreign travel for attending scientific conference and Publication of scientific journals by learned Societies, etc.

In this Part general guidelines including specific formats published by different national science Agencies for promoting scientific activities have been incorporated. These information are very valuable to our young scientists, who would get a collection of all the necessary information in a single bunch. No such attempt has previously been made in our country. It should be pointed out here that the terms and conditions including formats are occasionally changed by the funding Agencies. Hence it is advisable that before sending the application, a fresh copy of blank application form should be collected from the Agency concerned. The applications should be routed through Universities/recognised Research Organisations.

DEPARTMENT OF ENVIRONMENT

GOVERNMENT OF INDIA

Contact Person : Secretary

Bikaner House

Shahjahan Road

New Delhi-110 011

Telephone : 389169 Telegram : PARYAVARAN

Telex : 31-5265 DOE IN

Environmental Science

Environmental science is unusually broad and multi-disciplinary in its scope, though not yet always very precise. Its coverage includes the scientific knowledge gained from the physical, biological, economic and social sciences. It draws particularly heavily from ecology and the earth sciences. The field of environmental management must, in addition,

depend to an ever larger extent upon some of the newer disciplines such as the modern management sciences, systems analysis, operations research, comparative risk assessment, decision theory, simulation modelling, behavioural science, urban design, etc.

Since environmental science is relatively new, both in content and in approach, it is essential for the nation to build up a systematic base of knowledge as well as a body of experts in this field. While individual scientists must be trained who can cover a variety of disciplines with some competence in each, there is at the same time no substitute for scientists possessing the in-depth knowledge which can only come from detailed and specialized work in a particular area of science and yet are able to communicate well with scientists of other disciplines. It is for this reason, in particular, that environmental research has to take a lead in promoting cross-sectoral, transdisciplinary and multi-institutional research work and to be designed so as to encourage well coordinated and fruitful scientific team-work.

The ability of a nation to manage its environment well is, therefore, integrally dependent on the availability of experts possessing new kinds of competence and on knowledge which can be gained only from innovative and high quality research. It is with an understanding of the need to fulfil twin objectives that the Government of India has recognized the importance of promoting and funding research in environmental subjects.

Environmental Research

The National Committee on Environmental Planning and Coordination (NCEPC) was constituted by the Government of India in 1972 to identify, investigate and propose solutions for the problems of improving the human environment in the context of the growth and distribution of population and economic development. For accomplishing these goals, the NCEPC is to review, formulate and promote policies and programmes covering development projects, physical planning, legislation, administrative procedures, education and public information, and research.

Under the terms of reference assigned to it, a major objective of the NCEPC aims at

“promoting research in environmental problems and establishing facilities for such research wherever necessary”.

The Department of Science & Technology (DST) has been allocated some funds under the Fifth Five Year Plan for promoting research in environmental subjects. These funds being quite limited, are meant to be used primarily to catalyse interest among academic and other research institutions in undertaking studies relating to one or other aspects of the environment.

In pursuance of these goals, the NCEPC has constituted the Environment Research Committee (ERC) and the Indian National Man and the Biosphere Research Committee (MAB) to assist the DST in fostering and supporting research work in various areas of environmental concern.

The MAB and the ERC will make appropriate recommendations on the choice of disciplines and specific fields which need increased support for research. The Committees will also advise the Department of Science and Technology in the formulation of guidelines for receiving and processing research proposals for support under the scheme, and on the suitability and extent of grant for each research project received. The Committees have, further, the responsibility, on behalf of the DST, to evaluate the progress of each research project approved by it and to make suitable recommendations regarding its continuance or otherwise.

THE SCOPE OF MAB

The Indian National MAB Committee was set up in 1972 to promote and fund research as a part of the world-wide Man and Biosphere Programme of UNESCO. The National MAB Programme focuses its attention on certain ecological aspects of the environment and has accepted the following 14 specific project areas relating to the effects of man's activities on the biosphere :

1. Ecological effects of increasing human activities on tropical and sub-tropical forest ecosystems.
2. Ecological effects of different land use and management practices on temperate and mediterranean forest landscapes.
3. Impact of human activities and land use practices on grazing lands : savanna and grassland (from temperate to arid areas).

4. Impact of human activities on the dynamics of arid and semi-arid zone ecosystems, with particular attention to the effects of irrigation.
5. Ecological effects of human activities on the value and resources of lakes, marshes, rivers, deltas, estuaries and coastal zones.
6. Impact of human activities on mountain and tundra ecosystems.
7. Ecology and rational use of island ecosystems.
8. Conservation of natural areas and of the genetic material they contain.
9. Ecological assessment of pest management and fertilizer use on terrestrial and aquatic ecosystems.
10. Effects on man and his environment of major engineering works.
11. Ecological aspects of urban systems with particular emphasis on energy utilization.
12. Interactions between environmental transformations and the adaptive, demographic and genetic structure of human populations.
13. Perception of environmental quality.
14. Research on environmental pollution and its effect on the biosphere.

THE SCOPE OF ERC

The ERC has been set up to promote study and research in all subjects concerned with the human environment which are not covered by the MAB Programme. Because of the unity and inter-relatedness of the various components of the environment, however, some of the areas of responsibility of ERC and the MAB can naturally be expected to overlap. In cases where a project falls in this area of overlap it could be submitted to either committee.

The ERC will make every effort to encourage research in areas that cut across the often rigid boundaries of tradi-



tional academic disciplines. This implies, in particular, support of research projects of the type and in areas not normally funded by existing agencies.

The fields of interest to the ERC include

I Environmental Aspects of Rural and Urban Settlement

Management of human settlements (Planning, environmental design, renewal and reconstruction, etc.)

Land use planning and structuring

Location and siting of economic activity

Housing: Principles for design and construction

Transportation and communication

Water supply and sanitation

Waste disposal and utilization

Energy flows

Open space and recreation planning

Community participation

II Environmental Aspects of Resource Management

Agriculture (chemical residues, water-logging, soil salinity, soil exhaustion, etc.)

Extraction and processing of non-renewable resources

Preservation of life forms and gene pools

Wildlife — fauna and flora

Forestry

Ecosystem management

Water resources management

Large scale engineering works

Preservation of natural and cultural heritage

III *Environmental Degradation*

Pollution

. Air

. Water

. Land

Noise and vibration

Odours, radiation

Congestion, crowding, sprawl

Aesthetic blight

IV *Environmental Planning*

Impact assessment methodology

Criteria for environmental standards

Environmental perception

Risk/benefit analysis

Carrying capacity studies

Siting policy

Baseline and background data

Monitoring techniques and systems

Futures study

Natural disaster management

V *Environmental Training & Education*

Educational curricula

Training



Special courses and workshops

Audio-visual material

Information systems

Mass media

STATE-OF-THE ENVIRONMENT REPORTS

The National Committee on Environmental Planning & Coordination and the Department of Science and Technology have long recognized the lack of availability of information and data in the field of environment and this gap in our knowledge on various aspects of the environment. Such reports may be commissioned to individuals or panels of specialists who will report on such subjects as the existing quality of certain environmental parameters and their trends; surveys of environmental quality in selected regions; status of the research activities in important areas, bibliographies on environmental subjects, etc. It is hoped that this activity will also provide information which will assist the NCEPC, the DST and the ERC/MAB to choose areas needing urgent attention.

CRITERIA FOR SELECTION OF PROJECTS

Research projects under the MAB and ERC Programmes are invited on specific topics in subjects relating to the broad areas indicated above. It has been decided by the Committee that the selection preference of projects will be based, where possible, on the fulfilment of certain basic criteria regarding their objectives, approach and competence available. Preference will be given to projects which

- (i) are concerned with research in environmental subjects which are cross-sectoral and trans-disciplinary and are of direct relevance to the objectives of environmentally sound development of the country ;
- (ii) attempt to solve problems of the environment perceived to be of wide national interest and importance and are therefore of broad applicability or aim to produce results which can be replicated and used under a variety of conditions ;

- (iii) are capable of producing knowledge which can be implemented, directly used for the purpose of environmental planning or can lead to innovation and development of environmentally sound technologies and techniques ;
- (iv) give precedence to urgent problems, particularly those that tend to produce irreversible impact on the environment ;
- (v) involve multi-disciplinary and multi-institutional teamwork, and help to build expertise (rather than equipment and infrastructure) in institutions which have an established absorptive capacity for work of this type ;
- (vi) encourage new talent and innovative ideas ;
- (vii) provide knowledge which would not be generated by other programmes or is complementary to such knowledge ;
- (viii) are catalytic in promoting new areas of environmental research ;
- (ix) are able to produce time bound results ; and
- (x) are of inherent scientific interest.

The above set of criteria is meant to be indicative of the kind and quality of research proposals expected by the committees. It will, of course, be applied to each project with an understanding of the need to make tradeoffs between the sometimes conflicting requirements, and with the primary aim of promoting research of the highest quality and competence.

GENERAL GUIDELINES FOR RESEARCH SUPPORT BY ERC/MAB

1. When and where to submit Research Proposals

Research proposals may be submitted to the ERC/MAB for their consideration at any time. Provided the proposals are sufficiently well prepared, they will be taken up for scrutinising at the following meeting of the respective Committee. Applicants should allow at least three months between the submission of the proposal and the commencement of work. Every effort will be made to reach a decision and inform the

principal investigator promptly. The proposal should be presented in the format indicated in the Annexure.

2. Components of Research Grant

Grant for a research project is provided to the principal investigator to cover the following :

- (i) Appointment of research associates/fellows and technical supporting staff, e.g., technicians, instrumentation mechanics, etc. and payments of salaries, charges and cost of service benefits to them. The salaries will be paid as consolidated amounts, either in regular monthly instalments or as lumpsum payments. The principal investigator (or any of the other investigators) who are employed and already receive a salary will not be paid out of the funds sanctioned by the ERC/MAB.
- (ii) Acquisition of ancillary equipment and expendable items, laboratory supplies and cost of computer time.
- (iii) Cost of books, journals and periodicals and publication of research papers.
- (iv) Cost of internal travel including participation in scientific conferences/symposia connected with the research work.
- (v) Payments of honoraria or overtime allowances for services utilized in the scheme (e.g., typists, stenographers, account clerks, laboratory assistants, etc.)
- (vi) Any other expenditure which the Committee considers appropriate depending upon the requirements of a specific proposal.
- (vii) Private organisations and voluntary groups can receive funds only if they are registered societies or otherwise recognized by the Government.
- (viii) Foreign exchange will not ordinarily be sanctioned.

3. Approval of Research Projects .

- (a) Projects will be sanctioned for a specified period (maximum three years), total cost and yearwise break-

up as recommended by the ERC/MAB. The grant will be payable in two instalments each year. The authorities of the institution where the research activities are to be carried out would be responsible for the administration of the scheme and maintenance of accounts. The investigator will arrange with the institution to receive and make payments on his behalf. The grant shall be exclusively utilized for the purpose for which it is sanctioned.

- (b) All accounts maintained by the institution will be subject to audit by the institution auditors. On termination of the project, the accounts duly audited by the auditors shall be submitted and the unspent balance, if any, shall be remitted to the DST.
- (c) The project will become operative with effect from the date on which the grant is received by the institution. This date will be intimated to the sanctioning authority.
- (d) The principal investigator shall submit three copies of the progress report of the work on the project by December 31 of each calendar year. In addition, the ERC/MAB shall designate scientists/specialists to visit the institutions periodically for reviewing the progress of the work and for suggesting measures to ensure early realization of the objective of the project. On completion of the project, 5 copies of a consolidated report of the work done on the project should be submitted to the ERC/MAB. During the progress of the project, the institution concerned will provide all facilities to the scientists/specialists.
- (e) Projects will be normally sanctioned to institutions which have most of the essential facilities in the form of equipment for the type of research work to be undertaken. Funds would be made available for procurement of equipment/stores only if these are exclusively used for the research project. Expenditure on purchase of equipment, stores, publications, travel, books and contingencies may be incurred by the principal investigator as provided for in the approved Project Budget.
- (f) The selection and appointment of different kinds of staff for the project may be made by the principal investigator of the research project for periods not

exceeding the sanctioned duration of the project. Payments to research associates and post-doctoral fellows and other supporting technical staff should be made according to their qualifications. For expeditious implementation of the research project, the principal investigator may take the assistance of the institution concerned in the process of selection and appointment of staff and payments to them. In other cases, the institution should be kept informed about the recruitment forthwith. In case of any special posts, rates of pay will be decided by the ERC/MAB.

- (g) Staff appointed for the research projects will be subject to the administrative control and service rules as applicable (leave, T.A. & D.A. etc.) at the institution where the projects are based.
- (h) Investigators wishing to publish papers based on research work done under ERC/MAB projects should acknowledge the financial support received from ERC/MAB.
- (i) The ERC/MAB reserves the right to terminate the grant at any stage if convinced that the grant has not been properly utilized or appropriate progress is not being made.
- (j) If the investigator to whom a grant for a project has been sanctioned, leaves the institution where the project is based, the investigator should submit a complete and detailed report of the work done by him on the project till the date of his relief.
- (k) All equipment and stores purchased out of the grant would remain with the institution concerned unless otherwise directed by ERC/MAB.

APPLICATION FOR GRANT FOR PROJECTS UNDER THE ENVIRONMENT RESEARCH PROGRAMME*

(To be completed by the Principal Investigator)

1. Title of the Project *

* 30 typed copies of the application are required to be submitted to the Environment Research Committee.



2. Name & Designation of the Investigator(s)
3. Postal address of the Investigator(s)
4. Name of the Institution/ Organisation in which the project will be carried out
5. Names of other institution(s)/ organization(s) involved in the project
6. (a) Time required for commencement of the project on receipt of approval
- (b) Duration of project
7. Total amount of assistance required
 (First Year)
- (Second Year)
- (Third Year)
- Total :
8. Following documents are enclosed :
 - (i) Statement I—An abstract, not exceeding one page, and submitted separately, describing the background, objectives, methodology and figures of yearwise budget.
 - (ii) Statement II—giving detailed project proposal which should include state-of-the-art of the subject giving background of the work already done in this area in India (or elsewhere), and defining clearly the objectives and methodology and year-wise phasing of the project. A PERT chart showing the major phases of the project must be included.
 - (iii) Statement III—giving brief background of the Investigator(s) who will carry out the project.
 - (iv) Statement IV—indicating facilities available at the institution/organization for carrying out the project.



(v) Statement V—Project Budget in the prescribed format.

I/We have carefully read the terms and conditions of ERC/MAB research grants and agree to abide by them.

Signature of the Investigator(s)

Signature of the Head of Department

Date

Place

ENDORSEMENT

Certified that the basic facilities needed for undertaking the proposed project are available at our institution/organization and these will be extended to the Investigator(s) together with such other administrative facilities required by the terms and conditions of the grant.

Signature of the Head of the Institution/ Organization

Name & Designation

Date

Place

Appendix to the application for grant of research projects under the Environmental Research Programme

PROJECT BUDGET

A. *Salaries & Wages :	<i>1st Year</i>	<i>11nd Year</i>	<i>111rd Year</i>	<i>Total</i>
1. Investigator	_____	_____	_____	_____
2. Research Associate	_____	_____	_____	_____



PART IX

119

3. Supporting technical staff or other personnel, if any

Grand Total :

*Please specify the rate of salary and wages per month for each category.

- B. **Permanent equipment :

Grand Total :

**Please specify various individual items of equipment.

- C. †Expendable equipment and supplies :

†Please specify items.

- D. Travel

- E. Other Project costs, if any.

Cost of Project

Grand Total

- F. Whether the same Investigator(s) are receiving funds from other agencies. Yes/No

If Yes,

Name of the Investigator

Title of the Project

Agency

Amount

A COPY OF THE PROJECT PROPOSAL FROM OTHER SOURCES SHOULD ALSO BE ATTACHED.

**UNIVERSITY GRANTS COMMISSION**

Contact Person : Secretary

Bahadurshah Zafar Marg, New Delhi-110 002

Telephone : 27-9241

Telex : 31-5213

UGC SUPPORT FOR SCIENCE RESEARCH**1.0 Introduction**

1.1 Scientific Research is crucial to national development. Equally crucial is the role of University research in the total spectrum of the National Research and Development (R & D) effort. University Research effort produces not only research output but also high level trained manpower. Further, university research in terms of results of research is the most economical of all because in universities research is largely contributed by research students. The yearly expenditure per research student in a university is much less than expenditure per research scientist in research institutions divorced from teaching. It is well-recognised that a most reliable index of the state of scientific progress and general tone of scientific work in a country is the quantum and quality of scientific research in the universities of that country.

1.2 The University Grants Commission (UGC) since its inception in 1956 has endeavoured to support research in the universities in various scientific fields and applied sciences, but the support has not been adequate. Nevertheless the university research has also received funds from other national as well as international agencies also.

The UGC has therefore taken a decision to provide adequate support for University Research during the sixth Five Plan period. The UGC has therefore constituted panels in different subjects to advise the Commission in this regard. The UGC support for research would include (i) Direct Support in the form of Grants to Research Projects, Financial Assistance to Individual Teachers, Research Fellowships and Associateships to Students and Teachers and Science Awards on behalf of Trust and (ii) Indirect Support in the form of Development Grants under plan Programmes.

2.0 Major Research Projects

2.1 Financial support will be available to faculty members in the universities, university centres for postgraduate studies and affiliated postgraduate colleges to enable them to take up well-defined research projects in pure and applied sciences as well as engineering and technological subjects. The research projects could relate to a major programme of research to be undertaken by the department as a whole in a selected field or relate to projects by small research groups as well as by individual teachers. The research projects may be of a basic and fundamental nature or of an applied nature related to the national R & D effort or in newer would be considered for a specified period, initially for three years and extendable to a maximum period of another two years and would provide for adequate funds for support of research workers, fellows, essential equipment and working expenses.

2.2 The grants to be made available for such research projects would be mainly with a view to supplement the facilities already available in the universities/colleges as a whole and are, therefore, not intended to meet the entire needs for building up a research project not to replace the resources normally available to university/college as VI Plan Development grants. The grants to be requested should, therefore, be related to procuring only such scientific and other laboratory services and facilities as are not otherwise available in the university/college. Grants may also be requested for obtaining, on full-time basis, necessary research staff and supporting technical staff specifically for the duration of the project.

2.3 Research projects should be formulated on well-defined topics keeping in view the facilities already available and the plan of action should be drawn in such a way that the research work can be brought to successful completion within the specified period. While drawing up research programmes having R & D effort it is required that the areas identified as of R & D importance by the National Committee on Science & Technology and Council of Scientific & Industrial Research etc. may be kept in view so that the university/college can make a distinct contribution by way of research in such areas. The research projects should not be drawn up mainly to obtain a few research fellows who may work towards Ph. D. degree, since opportunities for such fellowships would be available under separate programmes of the UGC e.g. award of research fellowships.

2.4 While formulating departmental research projects it would be desirable to keep in view (a) importance of defining major thrust areas and detailing the plans for coordinating and making the best use of existing facilities and staff, (b) Inter-departmental and/or inter-disciplinary proposals as well as collaboration with other universities, national laboratories and industries, (c) scarcity of resources off foreign exchange and, therefore, the need to emphasise indigenous instrumentation and design, fabrication and building up of equipment, (d) allowing use of sophisticated equipment by scientists from other departments or other universities/colleges etc.

2.5 Besides the specific research projects which may be formulated by the university/college it is also likely that the University Grants Commission, on the basis of suggestions of its Standing Committee and subject panels, may invite a number of selected university/college departments in areas of importance to economic development to submit specific proposals for consideration by the UGC.

2.6 Selection of projects for support will be made by UGC on the recommendations of subject panels. The Commission's decision will be communicated to the university/college as well as the investigator concerned only in respect of the projects approved for support. No assistance would be available for any research scheme which may be initiated in anticipation of the Commission's approval and without specific sanction of funds for the purpose.

2.7 A few copies of the proforma for providing information relating to the department and also for submission of individual research projects are enclosed at Appendices 1 & 2. Six copies of the proposals with all necessary enclosures are required in respect of each project. The proposals may be sent twice a year to reach the Commission by the end of April and September each year.

3.0 Minor Research Projects for Individual Teacher's Research Work.

3.1 The scheme is intended to provide assistance to teachers working in the universities, colleges and institutions approved under the UGC Act for research/learned work, specially to the college teachers and junior teachers in universities who have shown a genuine aptitude for research work. In special cases, proposals from retired teachers who are doing teaching /research work in an honorary capacity in



an approved institution for assistance under the scheme may be considered provided they are not in receipt of honorarium/allowance etc. from any source.

3.2 The Commission's assistance to a teacher is limited to Rs. 10,000/- at a time for field work, computation work or for purchase of equipment apparatus (or for its fabrication), chemicals, books which are specially required for the project and are not normally provided by the university/college where the teacher is employed in special cases, grants may be provided for publication of monographs, research papers etc.

3.3 Grants sanctioned under the scheme are to be utilised only by the teachers for whom these are sanctioned and are not transferable.

3.4 The proposals from the teachers are to be forwarded in the prescribed proforma (Appendix 3) alongwith four copies each of the synopsis of the proposed projects with specific plan of work and the statement indicating details of financial assistance required for the purpose, so as to reach the Secretary, University Grants Commission, Bahadur Shah Zafar Marg, New Delhi, not later than 31st August. Applications received without the necessary enclosures or after the due date will not be considered.

3.5 Assistance under the above scheme is not available for the appointment of research assistants, scholars or any other staff, preparation of thesis or purchase of stationery etc. Requests from the teachers who have already received assistance from the scheme earlier will be entertained only if they have fully utilised the previous grants and the final report and utilisation certificate have been submitted to the Commission.

3.6 The selection of the awardees will be made on the recommendations of an Expert Committee appointed by the Commission for this purpose. There will be one selection in a year.

4.0 Research Fellowships, Associateships and Career Awards.

Apart from the research grants for projects as detailed under 2.0 and 3.0• above, the other programmes for encouraging research in universities are :—

(i) Research Fellowships,

- (ii) Research Associateships,
- (iii) Teacher Fellowships,
- (iv) National Associateships,
- (v) National Fellowships and
- (vi) Career Awards.

The details of these programmes can be obtained from the Secretary, University Grants Commission, Bahadur Shah Zafar Marg, New Delhi, on request.

4.1 Junior and Senior Research Fellowships : under the scheme holders of M. Sc. and equivalent degrees are considered for the award of Junior Research Fellowships (JRF's). Senior Research Fellowships (SRF's) are awarded to those workers who are generally M. Sc. or equivalent degree with a two years research experience and published work of high standard and Ph. D. The SRFs are of the value of Rs. 600/- per month with contingency grant of Rs. 2,000/- per annum. The JRFs are of the value of Rs. 400/- per month for the first two years and Rs. 500/- per month for subsequent two years. The Junior Research Fellows are eligible for a contingency grant of Rs. 1,500/- per annum. The selection for the award of senior fellowships is made once a year before the end of September each year. The selection for JRFs are made by the respective universities except in the case of scheduled caste/scheduled tribes. Advertisements calling for applications will be made by the UGC sometime in the months of July and August of each year.

4.2 Research Associateships : Recently the Commission created 50 Research Associateships to be awarded every year, with emoluments of Rs. 1,000/- or Rs. 1,200/- or Rs. 1,400/- p.m. (consolidated with a contingent grant of Rs. 2,000/- per annum.) The tenure of Research Associateships will be for a maximum period of five years only. The selection will be made by the UGC after interviewing the candidates. Selected candidates will be appointed in either of these categories, depending on the recommendations of the Committee.

4.3 Teacher Fellowships : Under the teacher fellowships programme as part of the Faculty Improvement Programme, young teachers from the colleges are given opportunity to improve their academic qualifications. These will

be of two types (i) Short term fellowships for one year's duration and (ii) Long term fellowship of a duration not exceeding three years. The teachers from affiliated colleges preferably below the age of 35 years would be selected for long term fellowships and for short term fellowships teachers below the age of 45 years would be preferred. Such teacher fellow should be sponsored by the college concerned which should agree to protect their total emoluments for the period of their deputation or academic leave and also give them the necessary increments as due and give an undertaking that such teachers would be taken back to their substantive posts without affecting their seniority etc. at the completion of their training period. The teachers will also be required to give an undertaking that they will serve the Institution at least for 5 years after the fellowships. The Commission would provide funds to the college concerned for appointing suitable substitute and would also pay to the teacher concerned a living expenses allowance of Rs. 250/- p.m. in case the teacher is required to utilise the fellowship in a university department not located in his normal place of duty. The teachers would draw their salary etc. from the college concerned for the duration of their academic leave. The Commission will provide maintenance grant of upto Rs. 1,500/- per annum per teacher to the university/institution where the teacher undertakes his further study or research work.

4.4 National Associateships: The scheme of National Associateships is initiated to assist outstanding University/college teachers below the age of 35 years engaged in research, to visit and work for short periods (a few months at a time) at periodical intervals, at university centres/research institutions/national laboratories which have special facilities relevant to their respective fields of work. The UGC would meet the actual cost of travel of National Associates once each way from their place of duty to the place of host institution and back. Besides each National Associate will also receive from the Commission an allowance of Rs. 500/- per calendar month to cover his living expenses either in part or full.

4.5 National fellowships : A certain number of national fellowships are awarded to enable outstanding professors/readers in the Universities to engage themselves in full time study and research free from their normal teaching and other administrative responsibilities. The national fellowship is generally available for a period of two years and makes provision

for payment of the teachers salary and some other expenses required in connection with the fellows programme of work during the period. Details of the scheme are available separately.

4.6 Career Awards : The Commission has instituted a scheme of Career Awards to young scientists who are lecturers/readers in universities and colleges and are not more than 35 years of age on the 1st of July of the year in which the award is made. The purpose of the scheme is to identify young talented scientists who have established competence and good potential in their area of specialization and enabling them to devoting of their efforts and energies for research.

Career Awards will be offered for a period of 3 years. A candidate should have completed Doctoral/Post-Doctoral or other equivalent professional training. A candidate may, however, apply for award before he/she has actually joined the faculty but the award will be operative only after he/she has joined. The Commission will pay the awardees their full salaries and allowances. They will continue to earn normal increments and maintain their seniority in their universities. They will continue to be in the service of universities for all purposes of leave, seniority, discipline etc. but will be on extra-ordinary leave for accepting the UGC award. In addition the Commission will provide each awardee a research grant of upto Rs. 1,00,000/- (including travel cost, contingency etc.) plus two or three research fellows. The awardees under the scheme should also be encouraged to take a part in teaching work of the Department. The awardee may spend the term of the award in his/her old institution or in any other approved institution in the country. Selection for Career Awards will be made by the UGC on the basis of recommendations of the expert panels.

4.7 Fellowships available at the Centres of Advanced study/Departments participating in the programme of Special Assistance to Selected Departments : In the case of the departments recognised by the UGC Centres of Advanced Study or departments invited to participate in the Programme of Special Assistance, a number of scholarships, fellowships and teacher fellowships are available to enable research students and teachers from other universities and colleges to take up advanced study and research for specified periods. These departments are expected to award at least 50% of the fellowships available to teachers coming from other univer-

sities. The centres also have funds at their disposal for inviting teachers from other universities for short periods as 'visiting fellows' for purposes of collaborative research work.

5.0 Science Awards :

5.1 Out of an endowment received from the Hari Om Trust, Nadiad (Gujarat), the University Grants Commission has instituted in 1973-74 the following Science Awards of the value of Rs. 10,000/- each per year, to be awarded to outstanding Scientists.

- (a) C. V. Raman Award for Experimental Research in Physical Sciences.
- (b) Homi J. Bhabha Award for Research in Applied Sciences.
- (c) Meghnad Saha Award for Research in Theoretical Sciences.
- (d) J. C. Bose Award for Research in Biological Sciences.
- (e) Award in the field of "Interaction between Science and Society."

The awards are subject to the following conditions (5.2 to 5.6) :—

5.2 Only contributions by Indian scientists whether by an individual or by a team of two to three persons would be eligible for these awards. The institutions or organisations are not covered under the scheme.

5.3 The award would be made to an individual or a team for outstanding scientific work which was made conspicuously important contribution to human knowledge in the areas covered by the scheme and thrown light on the problems in a new manner.

5.4 In deciding the award attention would be focussed on the specific contribution made during the last five to seven years period.

5.5 The Scientific work to be assessed would cover books, monographs, papers or any other unpublished account of research work, inventions, discoveries etc.



5.6 The work should have been carried out in India.

5.7 Nominations for the awards are to be made by the Vice-Chancellors of the universities, professors of the university departments (who may not restrict the nomination to persons of their own departments), research institutions, national laboratories and heads of their divisions, professional societies and national organisations.

5.8 Nominations alongwith bio-data for the awards may be sent to the Secretary, University Grants Commission before 31st December every year. There will be a preliminary selections will be required to supply the requisite documents in support of their work. Final selection will be made by a Jury to be appointed by the UGC.

6.0 Announcement of Grants/Awards.

When an application for fellowships or research scheme is approved, the grant will be announced in a formal offer to the applicant/university/college. Details of the grant and the conditions governing it will be provided to the fellow/investigator and the institution. The funds would be placed at the disposal of the university/college and released as soon as fellows report for work and/or the work on the scheme is commenced by the investigator.

7.0 Release of Grants for Research Projects and Research Fellowships.

7.1 Grants sanctioned under the scheme are to be utilised within two years of the award. Any amount left unspent out of the sanctioned grant on the date of expiry of the two years period will be refundable to the Commission. The institution will furnish the account of expenditure and the utilisation certificate for the grant received from the Commission.

7.2 The investigator/incharge of the project/scheme will furnish his six monthly statement of expenditure alongwith progress report of research/learned work through the university/college concerned if the grants are fully utilised.

7.3 The sanctioned grant will be released to the institution concerned in two equal instalments—first on receipt of the acceptance of the terms and conditions by the awardee and the institution and the condition by the awardee and



the institution and the second on getting the report of the progress of research project, the account of expenditure out of the first instalment of grant and the utilisation certificate in the prescribed proforma.

7.4 The investigator (in case of scheme) or guide (in the case of research fellows) should certify that the expenditure claimed under different heads has actually been incurred and utilised properly during the period for which payment is claimed and further that the grant has been exclusively utilized for the purpose it was sanctioned. The statement of account should be certified by the Finance Officer and countersigned by the Registrar/Administrator of the University and audited by the authorised auditors. Any unspent balance from earlier payments will be adjusted by UGC while making fresh payment.

7.5 Under the teacher fellowship programme, the joining reports of the teachers (in original) alongwith a statement of particulars of pay etc. shall be sent to the Commission as early as possible for purpose of drawing the amount required in each year. This should be done early so that the teachers could receive their fellowship amount without delay. The fellowship stipend is repayable from the date of relief from the college upto the date of rejoining including actual period of travel.

8.0 Contingent Grant :

8.1 The contingent grant may be utilized for the purchase of books or equipment not available in the institution, special consumable or other materials required for research services not normally provided by the institution for research purposes, and tours undertaken in connection with the research work or for enabling the research workers to attend symposia of relevance to the topic.

8.2 After the completion of the project the apparatus and equipment etc. purchased out of the grant sanctioned by the UGC under the scheme will become the property of the university/college where the teacher is employed. The teachers may if they so desire, retain with them the books and allied items purchased out of the sanctioned grant.

8.3 The university or college concerned will be responsible for the custody of the equipment purchased out of the grant. Major items of equipment should be purchased on



competitive tender basis. Proper stock accounts should be maintained for the equipment purchased and should be serially numbered. An inventory of equipment purchased should be sent to UGC alongwith periodic progress reports. The inventory should give the description of the equipment (whether expendable or not), cost in rupees, date of purchase and the name of the supplier. The stock register should be checked by the auditor.

9.0 Renewal and Evaluation of Schemes :

9.1 The investigators of research schemes/projects are requested to submit their six monthly statement of expenditure alongwith progress report of research/learned work through the university/college concerned till the grants are fully utilised. A consolidated report of the work done with the assistance under the scheme shall be submitted to the Commission on the completion of the project/scheme.

9.2 The guides of JRFs/SRFs and the heads of the departments are required to submit an annual progress report on the fellows' work which must reach the Commission by April first week every year. The progress report should be in sufficient detail to enable the Council to satisfy itself with the satisfactory progress on desired lines.

9.3 The reports on the progress of work of the schemes/projects should be sufficiently detailed to enable Science panels of the UGC to evaluate each scheme/project by comparing the actual performance with that of the programme stipulated for the period.

9.4 Although the research projects/schemes may be approved for a specified period in phased manner initially for a three years period and extendable for another two years period on the basis of the results achieved, it would be open for the investigator to submit, for fresh consideration, suitable research projects well in time, before the completion of the first project, and on the basis of the results achieved, new lines of research assignment therefrom.

9.5 The progress of Junior Research Fellows will be assessed by the Commission after the first two years. Those fellows, who have been assessed and found to be satisfactory through the interview, will be eligible for an increase in their fellowships from Rs. 400/- per month to Rs. 500/- per month for the remaining two years of their fellowship period, pro-



vided the research project itself is available for that period. No extension of these fellowships approved under research project, would be possible independent of tenure of research project.

10.0 Publication of Results of Research :

10.1 The investigators are free to publish the results of their research. Acknowledgement should be made in the papers published of the financial assistance received from the UGC.

10.2 Two universities/investigators may, if they so desire, consider the publication of the final reports on the project under the scheme of "Publication of research work including doctoral theses" for which a fixed amount is placed at the disposal of the university for the plan period by the University Grants Commission.

Form 1

UNIVERSITY GRANTS COMMISSION

Support for Science Research in the Universities

PROPOSAL FOR SUPPORT OF RESEARCH

1. Title of the project :
2. (a) Institution and address :
(b) Department :
(c) Principal investigator and other members of research group, if any :
3. Academic qualifications and research experience of the Investigator(s) and publications related to the above research project. Please indicate the research schemes already undertaken and in force with funds from Commission or any other agency, giving details of grants and number of persons employed, duration etc.
4. Brief outline of objective of work and its importance. In case it has any R & D importance, please substantiate :
5. Actual plan of work proposed :
6. Duration of the project :



7. Detailed estimates of the expenditure to be incurred on the project (on annual basis and not to exceed three years in First phase) :

(a) Non-recurring :	Expenditure
(i) Laboratories	
(ii) Scientific equipment (give a list, with necessary justifications and also any foreign exchange required).	
(iii) Scientific journals and books	
(iv) Strengthening of workshop facilities	
Total	

(Please indicate what portion of the above could be met from the normal development grants in V Plan)

- (b) Recurring : per annum

	No.	Expenditure
(i) Personnel : Research personnel Supporting technical personnel		
(ii) Working expenses :		
(iii) Other costs : (please specify)		
Total Rs. per annum		

Total Recurring for the duration of project.....

Total Non-recurring and Recurring.....

Please give names and addresses of three persons in other universities/research institutes actively engaged in your area of research interest, to whom a reference may be made regarding the research project :

8. Any other information useful in the evaluation of the project :

9. Certified that :

- (a) General facilities required such as laboratories, equipment etc. are available in the department.



- (b) No foreign exchange is required for taking up this project/foreign exchange is required ; please indicate specific items ;
- (c) This research proposal has not been submitted to any other agency for assistance.

(Signature)

Principal Investigator.. Head of the Department.....

Department..... University.....

**UNIVERSITY GRANTS COMMISSION
BAHADURSHAH ZAFAR MARG
NEW DELHI**

**Application for Financial Assistance to University/
College Teachers for Minor Research Projects in
Science Subjects**

Section A :—General Information

1. Name, Age, Designation and Qualification (in Block Letters) :

.....

2. Name of the Institution where working :

University/Department

College

Affiliated to

University

3. Academic experience :

(a) Research experience.....year

(b) Teaching experience.....year

(c) Industrial/field work experience.....year

(d) Papers published : Give title of papers, names of journals in which published and year of publication.
(Separate sheet may be attached, if necessary).

4. Particulars of appointments held in the past 5 years :

- (a).....
- (b).....
- (c).....

Section B :—Details of Research Project

5. (a) Subject.....

(b) Title of research (in Block Letters)

.....

(Four copies of summary (about 500 words) of proposed research may be attached. Please give name(s) with designation(s) of collaboration(s) if any, for the proposed project). Information about specific facilities available for undertaking above research project may be indicated.

(c) If working for the doctorate degree, please indicate :

- (i) Date of registration.....
- (ii) Specific subject of research.....
- (iii) Name and designation of supervisor.....
- (iv) University where registered.....

6. Financial assistance sought :

Item	Amount required in Rs.
.....
.....
.....
Total :

- (i) Four copies of the statement giving details of books and equipment etc. required for the proposed work may be attached.



- (ii) If assistance for 'Field Work' is required, the purpose and approximate expenditure on travel and collection of data/specimen may be given in the statement.

7. Particulars of assistance received for research/teaching work from UGC and/or other agencies, if any, in the past five years : In case assistance was received from UGC under this scheme earlier, please indicate Code No.

-
- (a) Agency from which assistance was received.....
- (b) Amount sanctioned.....
- (c) Amount utilised.....
- (d) Research work done and papers published.....
- (e) Particulars of the work to be done further.....
- (f) Reasons for not completing the work with the assistance already sanctioned.....

Please attach separate sheets (four copies) wherever necessary.

8. Have you been recipient in the past five years of any grant from the university for your present project or for any other project ? If so details thereof may kindly be given on a separate sheet of paper (four copies).
9. Any other information relevant to the research work which you may like to give in support of your application.

.....

I have read the rules governing the scheme and shall abide by them and that the information given in the form is correct to the best of my knowledge.

.....

(Signature of the Applicant)



Section : C

Facilities for research work will be provided to Shri/Km/Smt..... in the university/college. The equipment/apparatus/chemicals/books etc. for which assistance is requested are not available for his/her use in the university/college. The teacher is not in receipt of a similar grant from any other agency.

.....
(Signature of the Principal of
the College/Registrar of the
University.)

.....
(Signature of Head of the
Department)

APPENDIX—I

GUIDELINES

1. In order that this programme may ensure good academic return to the teaching community, it is necessary that apart from adequate preparation, well documented papers and other literature are also prepared for these activities.
2. No department of a university or college should organise more than one programme in a particular year and it should be ensured that the minimum needed internal resources and expertise to organise the programme is available.
3. The themes and areas to be dealt with should be such that they are related to the teaching or research programmes of the university/college and have relevance to the period.
4. In the selection of participants due consideration should be given to Scheduled Castes/Scheduled Tribes Candidates particularly in the programmes for language and mathematics.

The scope and coverage of Seminars/Symposia and Workshops etc. is given below :—

(a) Seminars

A seminar is intended to enable university and college teachers as also research workers to acquaint themselves with



the latest developmentation in their respective fields of work. It will also facilitate exchange of ideas with experts in the same or related fields. The seminars have, therefore, to be designed to meet such professional needs of university and college teachers. It will also enable them to obtain additional knowledge of the subject matter in their disciplines and help them to get acquainted with new research work that is growing in their areas as also new laboratory equipments and new methods and techniques adopted for laboratory work etc. The seminar should usually be of less than a week's duration and the selected themes of the seminar should be made known in advance to the participants. In the case of seminars, it may take the shape of a lecture series by outstanding teachers in particular fields followed by intensive discussions by the participating members.

(b) Symposia

In the case of symposia while the objective will be the same as seminars, the programme will be oriented towards exploration in teaching of a specific topic or related area which has become potentially significant for the organising and streamlining of curricular or research activities. It would, therefore, be a discussion only on a particular topic and there could be lectures by different persons followed by intensive discussions by different members but all activities will be on a particular chosen topic or area and not on different topics though related as in the case of seminars.

In either case the number of participants would normally be 35-40.

(c) Workshops

The Workshops are also programmes intended for augmenting professional competence of the teachers. These are conducted under the direction of competent faculty members who provide specialised short-term-institutional programmes covering recent advance in selected areas or a number of fields of special relevance. These programmes will include activities for improvement of teaching competency and will also cover courses of high quality instructional programmes. In order to ensure the maximum utility of this activity to the participating teachers, the number of participants may be 25-30 and duration normally 2 to 4 weeks. If the programmes are for P. G. level courses it may not be less than 3 weeks duration. These workshops may be organised to effect



improvement of curricula, teaching methods, examination reforms etc. It is necessary that at the end of the workshop, the performance of all participants is evaluated and the participants may themselves to a self evaluation indicating change required to be brought out in organising such programmes.

SHORT-TERM INSTITUTES AND ADVANCE LEVEL INSTITUTE

These institute should be for updating course and the area should be indentified by subject panels. These institutes may offer programmes of courses in which lectures of two hours duration in the morning followed by 2-3 hours of laboratory work/field work/project work in the afternoon with opportunities to the participants to confer with resources personnel for obtaining their advice on matters like teaching aid, methods of presentation on project matters, planning of courses and other problems may be provided. Generally these institutes may have 20-25 participants, but the number could go up to 50 depending upon the nature of course and the areas to be covered. The duration of these institutes may be a minimum of three weeks and a maximum of six weeks. These programmes need not be called summer-institutes as they could be organised during summer or other suitable period.

APPENDIX—II

Revised Norms of Expenditure for the Operation of the Scheme of Seminar/Symposia/Workshop/ Refresher Courses/Summer Institutes etc.

FOR PROGRAMMES OF LESS THEN A WEEK DURATION :

1. BOARD AND LODGING

- i. Lodging in a hostel including water, electricity and other essential services to be provided to all outstation participants free of charge.
- ii. Rs. 40/- for board per outstation participant per day.
- iii. Local participants not residing in the Campus/Hostel with other participants are entitled to local hospitality i.e. lunch, office, etc., subject to a limit of Rs. 20/- per participant per day.

- iv. Outstation visiting/Guest lecturers and members of academic staff may be provided free board and lodging with outstation participants in the hostel otherwise daily allowance for board @ Rs. 40/- per day per head is permissible.
- v. **For programmes involving foreign participants.** A maximum of Rs. 500/- per head per day or the full expenses of board and lodging in a Guest House whichever is less for upto 5 Foreign Participants.

2. TRAVELLING ALLOWANCE AND INCIDENTAL EXPENSES:

For outstation participants and outstation Academic Staff (including Visiting/Guest Lecturers) :

Actual expenditure incurred subject to a maximum of first class rail fare on the production of a certificate by the incumbent to the effect and Rs. 12.50 per head for incidental expenditure during journey for 24 hours or part thereof. If needed, not more than 6 experts including outstation members of academic staff, may be allowed to travel by air provided they are in receipt of basic pay of Rs. 2,250/- and above. Those in receipt of basic pay between Rs. 1,800/- and Rs. 2,250/- are also eligible to travel by air provided the distance involved is more than 500 KMs and the overnight journey cannot be performed by a direct train service/direct slip coach service. **In case of foreigners,** the U.G.C. will meet expenses only on Internal Travel.

3. Secretarial and clerical including :
Class-IV, transport, office supplies,
postage, cyclostyling, and other
miscellaneous items. Rs. 5,000/-

4. HONORARIUM

Director Rs. 500/-

Resource persons and Visiting/Guest
Lecturers

- Outstation Rs. 100/- per day upto
a maximum of Rs. 500/-
- Local Rs. 50/- per day upto
a maximum of Rs. 250/-



**Revised Norms of Expenditure for the Operation
of the Scheme of Seminar/Symposia/Workshop/
Refresher Courses/Summer Institutes etc.
(w.e.f. 17-2-84)**

FOR PROGRAMME FOR A WEEK OR MORE DURATION :

1. BOARD AND LODGING :

- i. Lodging in a hostel including water, electricity and other essential services to be provided to all outstation participants free of charge.
- ii. Rs. 40/- for board per outstation participant per day.
- iii. Local participants not residing in the Campus/Hostel with other participants are entitled to local hospitality, i.e. lunch, coffee, etc., subject to a limit of Rs. 20/- per participant per day.
- iv. Outstation visiting/Guest lecturers and members of academic staff may be provided free board and lodging with outstation participants in the hostel otherwise daily allowance for board @ Rs. 40/- per head is permissible.
- v. **For programme involving foreign participants maximum of Rs. 500/- per head per day or the full expenses of board and lodging in a Guest House whichever is less for upto 5 foreign participants.**

2. TRAVELLING ALLOWANCE AND INCIDENTAL EXPENSES:

Actual expenditure incurred subject to a maximum of first class rail fare on the production of a certificate by the incumbent to the effect and Rs. 12.50 per head for incidental expenditure during journey for 24 hours or part thereof. If needed, not more than 6 experts including outstation members of academic staff, may be allowed to travel by air provided they are in receipt of basic pay of Rs. 2,250/- and above. Those in receipt of basic pay between Rs. 1,800/- and Rs 2,250/-* are also eligible to travel by air provided the distance involved is more than 500 KMs. and the overnight journey cannot be performed by a direct train service/direct slip coach service. **In case**



of foreigners, the UGC will meet expenses only on Internal Travel.

3. Secretarial and clerical including Class-IV, if any, and Miscellaneous, office supplies, postage, cyclo-styling etc.

Rs. 8,000/-

FOR SUMMER INSTITUTES AND REFRESHER COURSES

4. HONORARIUM

Director Rs. 1,000/-

Resource persons and Visiting/Guest Lecturers, academic staff members

Outstation Rs. 100/- per day upto Rs. 500/-.

Local Rs. 50/- per day upto Rs. 250/-.

5. Books for participants (other than members of academic staff) upto Rs. 200/- per participant.

APPENDIX—IV

Details regarding Seminar, Symposium, Workshop (National Level)

Proposed to be held at.....under the
auspices of.....during the year.....

1. Title of the Project
2. (a) Scope and area to be covered.....
- (b) Objectives
3. Duration of Programme in days
- (a) Opening date
- (b) Closing date



4. Number of FIP Programmes organised during last 3 years
5. Number of participants expected to be enrolled including Resource persons/Guest/Visiting Lecturers (Max. 50).
 - (a) No. of outstation : Participants.....
Resource Persons etc
 - (b) No. of Local : Participants.....
Resource Persons etc.....
6. Whether hostel accommodation would be available YES/NO
7. Name and address of the proposed Director of the project
8. Names with full address of the likely Resource persons, if any, to be invited and duration of their visits
9. Support of participants
 - (i) DA @ Rs. 40/- per head per day for the duration of the programme (for outstation participants only) Rs.....
 - (ii) TA actual 1st class railway fare and incidental charges @ Rs. 12.50 for every 24 hours or part thereof Rs.....
 - (iii) Hospitality @ Rs. 20/- per day per head (for local participants only) Rs.....
10. (i) Secretarial and clerical including class IV and expenditure including transport, Miscellaneous and contingent Office Supplies, Postage, Cyclostyling etc. Rs.....



PART IX

143

11. Total estimated amount Rs.....
12. Contribution, if any, from sources
other than UGC Rs.....
13. Name of the University to which
the college is affiliated

.....
Signature & Seal of the
Director of the Programme

.....
Signature of the Registrar/
Principal

.....
Seal of the Institution

Notes :

1. Honorarium is admissible to the Director, Resource Persons, Guest Lecturers and Visiting Lecturers as per Norms at Appendix II.
2. Printing/Publication of the proceedings of the project is not an approved charge on grant funds. The original papers contributed to the project may be published in professional journals in the normal course.
3. The number of participants (local & outstation) including Resource persons etc. may not exceed 50.

APPENDIX—V

Details regarding International Seminar, Symposium, Workshop proposed to be held at.....
under the auspices of.....

1. Title of the Project
2. (a) Scope and area to be covered
- (b) Objectives
3. Duration of Programme in days
- (a) Opening date
- (b) Closing date



4. Number of FIP Programme organised during last 3 years
5. Number of Participants expected to be enrolled including Resource persons/Guest/Visiting Lecturers (Max. 50)
- (a) No. of Outstation : Participants.....
Resource Persons etc
- (b) No. of Local : Participants.....
Resource Persons etc.....
- (c) Foreign Participants (a list giving name and full address to be enclosed (Max. 5)
6. Whether hostel accommodation would be available YES/NO
7. Name and address of the proposed Director of the project
8. Names with full address of the likely visiting lecturers/Resource persons if any, to be invited and duration of their visits
9. Support of participants
- (i) DA @ Rs. 40/- per head per day for the duration of the programme (for outstation participant only)
- (ii) TA actual 1st class railway fare and incidental charges @ Rs. 12.50 for every 24 hours or part thereof Rs.....
- (iii) Hospitality @ Rs. 20/- per day per head (for local participants only) • Rs.....
10. (i) Secretarial and clerical including class IV and expendi-



PART IX

145

ture including transport,
Miscellaneous and contin-
gency Office Supplies, Pos-
tage, Cyclostyling etc.

Rs.....

11. Total estimated amount

Rs.....

12. Contributions, if any, from
sources other than the UGC

Rs.....

.....
Seal and Signature of the
Proposed Director of the
Programme

.....
Seal and Signature of the
Registrar/Principal

Notes :

1. Honorarium is admissible to the Director, Guest Lecturers/
Visiting Lecturers/Resource Persons as per norms as laid
down in Appendix—II.
2. Printing/Publication of the proceedings of the project is
not an approved charge on grant funds. The original
papers contributed to the project may be published in
professional journals in the normal course.
3. Govt. of India's clearance in respect of Foreigners is to be
obtained by the University/College in advance, under
intimation to University Grants Commission.
4. The number of Indian Participants including Resource
Persons/Guest/Visiting Lecturers may not exceed 50.

APPENDIX—VI

Proforma for Proposal for Short-Term/Advance Level Institute/Refresher Course During.....

PART—I

Name of the University

Title of the Programme

1. Location

2. Date : (a) Opening date
- (b) Closing date
- (c) Duration in days
3. (a) Whether any such programme were held in the past YES/NO
- (b) If yes, give details
- (c) Whether the present is for a Regional/All India
4. No. of FIP Programme organised during last 3 years
5. Objective of the Programme
6. No. of participants proposed to be admitted (Max. 50 including Resource persons/Guest/Visiting Lecturers)

Outstation
Local
Total
- (a) from colleges affiliated to host university
- (b) from colleges affiliated to the neighbouring universities
7. Name and address of the Director of the programme
8. Postal address of the Director
9. Please indicate action already taken or proposed to be taken for achieving stated objectives under the following headings :
 - (a) Details of reform in subject/discipline (Examination, Syllabus preparation of teaching material etc.)
 - (b) Follow up of work done at earlier institutes if any



PART IX

147

- (c) Future plan of follow up work
10. Indicate feasibility of Organising course on basis of Laboratory techniques, fabrication of equipment and apparatus during the course of the Institute
11. Please indicate the academic qualification and experience of Director and other local academic staff and the role each will play in the conduct of the Institute under the following headings :

NAME	DESIGNATION	QUALIFICATION & EXPERIENCE	COURSE TO BE OFFERED
(i)
(ii)
(iii)
(iv)
(v)
(vi)
(vii)

12. Outside academic staff required. No. Subject
- (a) from other Indian University/
institutions
13. Type of accommodation available
to outstation academic staff (e.g.
Guest House, Hostel etc.)
14. (a) Will free hostel accommoda-
tion including electric, water
and other services be pro-
vided to the participants YES/NO
- (b) If not, residential accommo-
dation proposed to be



arranged for the participants
may be indicated

15. Signature of Director with date

(b) Name and designation of
head of department of insti-
tute unless director is also
head of department

.....
SIGNATURE OF THE REGISTRAR/
PRINCIPAL WITH SEAL OF THE
UNIVERSITY/INSTITUTION

APPENDIX—VII

PART—II—Budget Estimate

1. Number of participants including Resource Persons/
Guest/Visiting Lecturers (Max. 50)

(a) Outstation

(b) Local

(c) Total

(d) Dates of the Programme : From.....To.....

2. Name of the Director :

3. Items of expenditure :

(i) Board charges for.....(give number)
outstation participants @ Rs. 40/- per
head per day for.....days (number of
days) Rs.....

(ii) Hospitality to(please give num-
ber) Local participants @ Rs. 20/-
per head per day for.....(give number
of days) Rs.....

(iii) TA to outstation participants.....
(Please give numbers) Rs.....



PART IX

149

- | | |
|---|---------|
| (iv) Incidental charges to.....(Please give number) @ Rs. 12.50 per head during journey for 24 hrs. or part thereof | Rs..... |
| (v) Honorarium to the Director within the ceiling of Rs. 1000/- | Rs..... |
| (vi) Honorarium to.....(Please give number) Resource persons etc. as per norms laid down in Appendix—III | Rs..... |
| (vii) TA to.....(Please give number) for guest lecturers/academic staff/ visiting lecturers/Resource persons | Rs..... |
| (viii) DA to.....(Please give number) for local/outstation academic staff/Visiting/Guest Lecturers | Rs..... |
| (ix) Miscellaneous charges/contingencies, Secretarial, Clerical, Class IV, Tech. Staff, and Transportation etc. | Rs..... |
| (x) Books for participants (other than academic staff @ Rs. 200/- per participant | Rs..... |
| (xi) Total | Rs..... |
| 4. Income from any other sources (Please indicate the source and amount) | Rs..... |

.....
(Signature and Seal of the Director)

.....
(Signature and Seal of the Registrar/
Principal)

Refresher Course/Short-Term/Advance Level Institute Application for Participants (Sample Proforma)

Institute in.....at.....

1. Full Name (in Block letters).....

2. Designation
3. Present employer & Address
4. Address to which reply should be sent (in block letters)
5. Permanent Address
6. Date of birth
7. Marital status : Married/Unmarried.....
8. Teaching/research/professional/ industrial experience
9. ** Previous participation if any research seminar, summer institute etc.
10. Academic record

Examination passed	Subject		Year of passing	Univ. College/ Insttns.	Other Information
	Main	subsidiary			
B.A./B.Sc./Two Year Honours/ Three Year Honours					
M.A./M.Sc.					
Other certificates/ diploma/degree etc.					

** Teachers who attended Summer Institutes/Refresher Course of this Project and level in previous years should not apply.

11. Membership in professional societies.....
12. Names, designations and addresses of three persons who have been asked to send letters to the Director in support of this application.



1.
2.
3.

Dated.....

Place.....

.....
Signature of applicant

13. Why you want to participate in the Institute.....
14. Choice of elective (for polytechnic).....
15. Recommendation of the forwarding authority. The applicant has been granted permission and if necessary, duty leave to participate fully in the institute for its entire duration.

Date.....

Signature.....

Designation & Address.....

Note : This application must be sent to the Director of the Institute/course by the deadline date.

**Participants Summer Institutes (Short term institutes)
Refresher Course Evaluation (Sample proforma)**

Summer Institute/*Refresher Course* in for.....
(Given subject or discipline) (describe participants)
at..... (Name of host institution)

Date :

Now that you are nearing the completion of this Summer Institute/Refresher Course your reactions to the programme will be valuable in planning future programme. The following questions will make it easier for you to express your reactions. Be frank and do not hesitate to offer constructive criticism. Please do not indicate your name.

1. Did you have sufficient information about the programme before you arrived ?

YES/NO



2. If not what additional information would have been useful ?

3. Which parts of the programme were most interesting ?

Lectures

Guest Lectures

Laboratory

Seminar Discussions

Others

4. Which parts of the programme appealed to you as particularly well presented and valuable ?.....

5. Which parts of the programme did not appeal to you or could stand improvement ?.....

6. Which topics or speakers do you feel could have been omitted and why ?.....

7. Please describe the benefits you have derived through participation in this Institute.....

8. Please give your opinion of the general administration other than subject matter and faculty, of this institute from its inception to its conclusion.....

9. What type of educational assistance would be of most value to you in improving your professional competence as a teacher ?.....

10. What subject matter should be covered in the Institute and how should the programme be conducted next year ?.....

Any other comments.....

APPENDIX—VIII

Synopsis of the F. I. P. Programmes for the Period April—1985 to September—1985

1. Name of the University/Institution
sponsoring the programme :



2. Name of the Programme :
3. Broad Subject :
4. Title of the Programme :
5. Duration :.....(days) from.....to.....
6. Number of Participants.....
Outstation :.....
Local :.....
7. Name and address of the Director of the programme :
8. Objective of the Programme :
9. Name of the University to which the College is affiliated

P.S.—Five copies of this proforma are to be enclosed with each proposal.

INDIAN NATIONAL SCIENCE ACADEMY

Bahadur Shah Zafar Marg, New Delhi 110002

Telephone : 276730 Telegram : Natscience

Contact Person : The Executive Secretary

Information for the Applicant

The conferences to be supported by INSA fall under three different categories viz. Category I : International Conferences sponsored by the International Council of Scientific Unions (ICSU) and its affiliated bodies*, hence categorised as ICSU

* *Bodies affiliated to ICSU :*

(1) International Astronomical Union, International Unions of (2) Bio-chemistry, (3) Biological Sciences, (4) Pure and Applied Chemistry, (5) Crystallography, (6) Geodesy and Geophysics, (7) Geological



Conferences ; Category II : International Conferences sponsored by other agencies, hence categorised as Non-ICSU Conferences ; Category III : Travel Fellowship Grant to young scientists below the age of 35 years under INSA-COSTED Travel Fellowship Grant.

I. *ICSU Conferences*—Scientists who have been invited to deliver plenary lecture/preside over session or whose paper has been accepted for presentation, and who will also be provided subsistence allowance during their stay abroad by some agency, will be given preference over others. INSA's financial support, in case of selection, is limited to a maximum of half international travel plus half maintenance allowance for the duration of the conference and registration wherever necessary. *The prescribed application form duly filled in should be despatched latest by 31st January each year for consideration at the meeting to be held in March during the year.*

II. *Non-ICSU Conferences*—Scientists who have been invited to deliver plenary lecture/preside over session or whose paper has been accepted for presentation and who will also be provided subsistence allowance during their stay abroad and travel grant by some agency will be given preference over others. INSA's financial support in case of selection is limited to a maximum of Rs. 4,000/- only.

Application for any Non-ICSU conference should be received in the Academy 3 months prior to the date of conference for consideration of the Academy during March, June, September and December each year as may be the case.

III. *INSA-COSTED Travel Grant*—The applicants intending to participate in international conferences/symposia/short-term training programme (not exceeding two months)/workshop may send formal request on prescribed proforma at

Sciences, (8) History and Philosophy of Science, (9) Theoretical and Applied Mechanics, (10) Nutritional Sciences, (11) Pure and Applied Physics, (12) Pure and Applied Biophysics, (13) Microbiological Societies, (14) Pharmacology, (15) Radio Science, (16) Immunological Societies, (17) International Geographical Union, (18) International Mathematical Union, Scientific/Special Committees on (19) Problems of the Environment, (10) Oceanic Research, (21) Solar Terrestrial Physics, (22) Space Research, (23) Data for Science and Technology, (24) Science and Technology in Developing Countries, (25) World Climate Programme (26) Inter-Union Commission on Lithosphere, and (27) Application of Science to agriculture Forestry and Aquaculture etc.



least 3 months prior to the date of commencement of the conference. Young scientists should fulfil the following eligibility criteria before sending their applications :

- (a) His/her age should be below 35 years on the date of commencement of the conference.
- (b) His/her paper should be accepted.
- (c) His/her local hospitality has to be borne by the organisers or some other agency.

Candidates selected will be supported fully/partially for their travel cost jointly by INSA-COSTED (Committee on Science and Technology in Developing Countries). *The applications will be screened once in a quarter during the year.*

N. B. Please send below the application form of the appropriate category, duly filled in along with enclosures.

CATEGORY—I/II

INDIAN NATIONAL SCIENCE ACADEMY

Bahadur Shah Zafar Marg, New Delhi 110002

(To be filled in by scientists of the age 35 years or above on the date of the commencement of the conference)

Application form for deputation/delegation abroad

1. (a) Name of the participant
- (b) Designation and address
- (c) Date of birth (Age :)
- (d) Name of the employer
- (e) (i) Field of specialisation
- (ii) List of publications in the specific field (attach separate sheet)
- (f) If holding membership of national and international bodies, please specify.

2. (a) Name of the conference/meeting/symposium/General Assembly etc. to be attended, with place, period etc. and registration fee, if any.
- (b) Name(s) of the sponsors of the international conference /meeting etc. (Also state if the conference has ICSU affiliation).
- (c) Proposed date of departure from India.
3. The role of the participant in the present meeting/conference.
 - (a) Presiding/chairing over a session (attach the letter of invitation)
 - (b) Delivering a plenary lecture/invited talk : (if yes, give title and attach the letter of invitation. *Attach 4 copies of the summary of the lecture/talk also*).
 - (c) (i) Presenting a paper. (If yes, give the title and attach *4 copies of the abstract*).
 - (ii) Has the paper been accepted? (If yes, please attach a copy of the acceptance letter).
 - (d) Any other role (please specify). State if the applicant is holding an office, such as membership of Executive Body etc. in the conference/meeting/General Assembly.
4. Other countries likely to be visited apart from place of conference/meeting

<i>Country</i>	<i>Duration of visit</i>	<i>Purpose of visit</i>	<i>Quantum of financial assistance and the name of the Agency/Agencies providing the same (give details)</i>

5. Financial assistance offered by the foreign agency or the national bodies for the conference proposed to be attended. Please provide details as under :—



PART IX

157

- (a) Air fare : Yes/No. If yes, please indicate the amount granted and the purpose for which provided. (Attach copy of the letter)
- (b) Local hospitality for the conference. Kindly indicate if a part or whole of local hospitality is being met by the organisers of the conference or by any other organisation (Attach copy of the letter)
- (c) Actual registration fee : Exempted/not-exempted (if exempted attach copy of the letter)

6. Financial assistance now being sought from Indian National Science Academy (The assistance being partial)

Please indicate specific amount required under the following heads :—

Actual airfare :

Amount required from INSA for airfare :

No. of days for which per diem required :

Registration (if required) :

7. Purpose of visit and its possible impact in the Indian context within 250 words (*attach separate sheet*)
8. Whether participated in any international conference/meeting abroad during 36 months prior to the date of this conference/meeting or visits conducted under collaborative Exchange Programme.

Yes/No. If yes, please indicate details on lines given below :

Name of the conferences/ meetings/Collaborative Exchange Programme	Place and date of conference meeting/ visit	How financed : Name of the agency/ amount	Financial assistance from INSA received if any
--	---	--	--



9. Kindly indicate :—

- (a) Whether 50% support will be available from institute or the university of the applicant.

Yes/No. (If yes, please attach a copy of letter)

- (b) if not, the name of the grant giving agency providing 50% grant (with a copy of letter)

- (c) If the conference is sponsored by a non-ICSU body i.e. (other than ICSU affiliated one) whether the candidate can attend with a token support to the maximum extent of Rs. 4,000/-

- (d) Whether the applicant can utilise excursion fare facility.

Place :

Date : (Signature of the applicant)

Please return the form alongwith enclosures to :

The Executive Secretary
Indian National Science Academy
Bahadur Shah Zafar Marg
New Delhi-110002

OFFICE USE ONLY

1. Category I / Category II

2. Recommendation's of National Committee :

3. Recommendation of ICSU—Committee :

4. Recommendation of Sub-Committee/other Committee :

5. Final grant :



CATEGORY—III

INDIAN NATIONAL SCIENCE ACADEMY

Bahadur Shah Zafar Marg, New Delhi 110002

(To be filled in by the scientists below the age of 35 years on the date of the commencement of the conference)

Application form for INSA-COSTED TRAVEL FELLOWSHIP GRANT for Young Scientists*

1. (a) Name of the applicant :
 - (b) Date of birth (Age :)
 - (c) Designation and address :
 - (d) Pay :
 - (e) Name of the employer :
 - (f) Field of specialisation (Attach Copy of biodata)
 - (g) Membership of national and international bodies :
 - (h) Reference to applicant's important publications, if any, on the topics of relevance to the meeting/conference/training etc.
 - (i) Are you INSA Young Scientist Medal Awardee? If so, give the year.
2. (a) Name of International Conference/Symposium/Short term Training Programme/Workshop with place, period etc. and registration fee, if any.

* **Criteria for eligibility :**

- (i) Expenses for travel only by excursion/economy class air fare to the place of conference and back through the shortest route are provided to the selected young scientists below 35 years of age on the date of commencement of the proposed conference.
- (ii) The paper should be accepted for presentation in the conference.
- (iii) Local hospitality should be provided by some organisation.
- (iv) Applications for travel fellowship must be made at least three months in advance of the commencement of the conference.

- (b) Name(s) of the sponsors of the conference/meeting etc.
- (c) Proposed date of departure from India.
3. What role the applicant has in the present Symposium/Conference etc.
- (a) Presenting a paper. Give title and attach 4 copies of the abstract.
- Has the paper been accepted: (If yes, please attach a copy of the acceptance letter)
- (b) Delivering the plenary lecture/invited talk (if yes, give title and attach letter of invitation etc. Attach also 4 copies of the summary of the lecture/talk)
- (c) Presiding/Chairing over a session. (Attach a copy of the invitation letter)
- (d) Any other role (Please specify). State if the applicant is holding an office in the conference/General Assembly etc.
- (e) Please send a concise note of 250 words highlighting possible impact of the above conference in the existing Indian context. (*attach separate sheet*)
4. Other countries likely to be visited apart from the place of conference/meeting

Country	Duration of visit from date to date	Purpose of visit	Financed by
---------	--	---------------------	----------------

5. Financial assistance offered by sponsors/any other international body

- (a) Air fare: Yes/No. (If yes, please indicate the amount granted and attach copy of the letter.

PART IX

161

- (b) Local Hospitality : Kindly indicate if a part or whole of local hospitality is being met by the organisers or any other organisation. (Kindly attach copy of the letter).

Name of agency	Conference	Number of days	Number of days for which hospitality is being provided
----------------	------------	----------------	--

- (c) Exemption from payment, if any : (Registration etc.) (if exempted, kindly attach copy of the letter).

6. Assistance from sources in India (Please attach copy of letter if assistance being received).

Name of agency	Amount	Purpose for which money is to be utilised	Remarks ; Applied for sanctioned
----------------	--------	---	----------------------------------

7. An approximate estimate of travel support required from INSA.

8. What purpose is likely to be served by the proposed deputation/delegation.

9. Participation in international conferences/meetings abroad during 36 months prior to the date of this conference/



meeting or visits conducted under Collaborative Exchange Programme.

Name of the conference meeting/Collaborative Exchange Programme	Place and date of conference/meeting/visit	How financed	Financial assistance from INSA, if any
---	--	--------------	--

Place :

Date :

Signature of applicant

Please return the form duly filled in alongwith enclosures to :—

The Executive Secretary
Indian National Science Academy
Bahadur Shah Zafar Marg
New Delhi 110002

INDIAN NATIONAL SCIENCE ACADEMY

Bahadur Shah Zafar Marg, New Delhi-110002

RESEARCH GRANT

(To be submitted in five copies)

1. Title of the Research Project :
2. Background and precise objectives of the project ; highlighting the lacunae in existing knowledge which is attempted to be bridged. (attach separate sheet if necessary)
3. Detailed Research Plan :
 - (a) Importance of Project in the context of current status

PART IX

163

- (b) Methodology
- (c) Phased Plan of Study
- (d) How the proposed investigation is expected to add to the existing scientific knowledge
- 4. Duration of the Project
- 5. Name of the Principal Investigator and Co-Investigators, and date of birth
- 6. Qualifications and Experience of the investigators in the field with list of Publication (attach additional sheet, if necessary)
- 7. Grants Required :

<u>Items</u>	<u>Amount per annum</u>
(a) Staff Salaries (Res. Fellows/Lab. Tech./ Lab. Attnds. etc.)	
(b) Contingencies— (Travelling, Chemicals, Glassware, etc.)	
(c) Others (Give justification for grants required under Contingency)	
8. Whether this or similar proposal is being supported or has been sub- mitted to other funding organisa- tions. If so, please indicate the details as under :	

Past •

Present

Pending



164

ENVIRONS

9. Title of the Project being supported along with quantum of grant per annum and duration
10. Indicate names of three experts in the field of proposed study
11. Name of the Laboratory or Organisation which will extend facilities for carrying out the Research Project :

ENDORSEMENT :

Certified that basic facilities for undertaking the proposed project are available at our Institution and the same will be extended to the Investigator, and the other administrative facilities as per the terms and conditions of the grants will be provided.

Dated : Signature of the Head
of the Institution.....

Place : Name and Designation.....

INDIAN NATIONAL SCIENCE ACADEMY

Bahadur Shah Zafar Marg, New Delhi-110002

Application form for seeking financial assistance from the INSA for publication of scientific journals by the societies

1. Name of the Society/Institution/
Academy/Association (with year of
foundation)
2. Give registration number under
Societies Registration Act XXI of
1860 with year of registration
3. Area of Science or Technology
covered by the society :
4. Address : (i) Postal :
(ii) Telegraphic :



PART IX

165

5. Whether the Society/Association is of regional/national character :
6. Total number of Members/Fellows of the Society/Institution/Association (as on 1-1-1984)
7. Whether the Society/Association is affiliated to any international body. If so, please indicate name of such a body and nature of the affiliation
8. Name of Scientific Journal(s)
 - (a) Published (with year of starting)
 - (b) Their periodicity (monthly, 3 monthly, 6 monthly)
 - (c) Specialisation covered by the Journal
 - (d) Any interruption in continuation of publication since start, and reasons therefor
 - (e) Procedure followed for publication of articles/papers i. e. whether reformed or not
 - (f) Time gap between receipt of a manuscript/acceptance and its publication
 - (g) Whether the journal is indexed in Current Contents/Index Medicus or any other international indexing journal
 - (h) Number of copies printed per issue
 - (i) Number of copies distributed :
 - (a) To members :
 - (b) On complementary basis :
 - (c) Sold to others :

9. Are the issues being printed up to-date, if not state the reasons
10. Expenditure on publication, grant receipts during the past 3 years (give audited statement of accounts)

<u>Year</u>	<u>Expenditure</u>	<u>receipt</u>	<u>balance</u>
-------------	--------------------	----------------	----------------

11. How was the deficit, if any, in the cost of publication met during the past 3 years
12. Income of the Society/Institution/Association during the last three years (with auditors certificate)

<u>Year</u>	<u>Membership</u>	<u>Advertisements in the Journals</u>	<u>Donation or grant received by the Society/Institution /Association (please name the source)</u>
	<u>Amount</u>	<u>Amount</u>	<u>Amount</u>
	<u>Rs.</u>	<u>Rs.</u>	<u>Rs.</u>

13. Grant received during the last 3 years (year-wise), if any, from INSA or other specified grant giving agencies. The details should be given without which requests will not be considered.

<u>Year</u>	<u>INSA</u>	<u>Amount</u>	<u>Other sources</u>	<u>Amount</u>
		<u>Rs.</u>		<u>Rs.</u>

14. Estimates of expenditure on publication during the year under consideration.
15. Grant requested from INSA for publication of journal during the current year



The following documents are enclosed :

- (i) Copies of the last three issues of the publication
- (ii) Utilisation certificate
- (iii) Audited statement of accounts

Secretary of the Society/
Institution/Association

Telephone : 667136

Telegram : SCIENTIFIC
Telex : 3807

INDIAN COUNCIL OF MEDICAL RESEARCH

Ansari Nagar, Medical Enclave, New Delhi-110029

Contact Person : The Director

Application for Grant-in-Aid of Research Project

(Please furnish 6 copies)

Section A

GENERAL

1. Title of the Research Project :

2. Name and designation of :

(i) Principal investigator :

(ii) Co-investigator(s) :

3. Duration of research project :

(i) Period which may be needed for
collecting the data :

(ii) Period that may be required for
analysing the data :



4. Amount of grant-in-aid asked for (details are to be given in Section C) :

	1st Year	2nd Year	3rd Year	Total
--	----------	----------	----------	-------

Staff :

Contingencies :

Total :

-
5. Institution responsible for the research project :

Name :

Postal address :

Telephone :

Telegraphic address :

Telex number :

-
6. Institutional ethical clearance and project approval (A document indicating institutional ethical clearance must accompany proposals for research involving human subjects)

Yes_____

No_____

DECLARATION AND ATTESTATION

-
7. (i) I/We, have read the terms and conditions for ICMR Research Grant. Necessary Institutional facilities will be provided if the research project is approved for financial assistance.
- (ii) I/We agree to submit within one month from the date of termination of the project, the final report and a list of articles, both expendable and non-expendable, left on the closure of the project.
- (iii) I/We agree to submit audited statement of account duly audited by the auditors of the Institute.



Signature of the :

- (a) Principal Investigator :
- (b) Co-investigator(s) :
- (c) Head of the Department :
- (d) Head of the Institution :

Date

Seal of the Head of the Institution

P.S. : ICMR should be reminded if no acknowledgement is received within one month from the date of sending the application.

Section B

BIO-DATA OF THE INVESTIGATORS (Please start on a fresh page)

1. Name : Dr/Miss/Mrs/Mr

First name(s)

Surname

2. Designation :

3. Complete postal address &
Telephone Number

4. Date of birth :

5. Educational qualifications :

Degree conferred (begin with Bachelor's Degree)

Degree

Institution

Field(s)

Year

**6. Research/Training experience :**

Duration	Institution	Particulars of work done
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**7. Research specialisation :
(Major scientific fields of interest)**

8. Recent publications (last 5 years, with titles* and references), also papers in press.

9. *Financial support received :**(a) From ICMR :**

Past

*Present

*Pending

(b) From other sources :

Past

*Present

*Pending

*This information must be given, otherwise the application will be returned. In case no financial assistance has been received, nil should be stated. Indicate titles of the projects also.



Section C

DETAILS OF THE RESEARCH PROJECT
(Please start on a fresh page)

Adequate information must be furnished in a brief but self-contained manner to enable the Council to assess the project.

1. Title of the Research Project
2. Objectives
3. Summary of the proposed research (up to 150 words) indicating overall aims of the research, importance of the objectives and application of the work in the context of national priorities of medical research.
4. Present knowledge and relevant bibliography including full titles of articles relating to the problem.
5. Preliminary work already done by the Investigator on this problem, e. g. selection of subjects, standardisation of methods, etc. giving results, if any.
6. Links with other ICMR projects (ad hoc, task force or collaborative).
7. List of important publications of the Investigator in this field (enclose reprints, if available).
8. Detailed research plan.

(Give here the design of study, indicating the total number of cases/samples to be studied, as well as the mode of selection of subjects specially in experiments involving human beings, equipment and other materials to be used, the techniques to be employed for evaluating the results including statistical methods, etc.).

9. Facilities in equipment, etc. available at the sponsoring institution for the proposed investigation.
10. Budget requirements (with detailed break-up and full justification) :

(i) Personnel :

(ii) Contingencies :

(a) recurring :

(b) non-recurring :

TERMS AND CONDITIONS FOR I.C.M.R. GRANT-IN-AID FOR RESEARCH

Grants for carrying out research are provided to investigators to supplement the resources put at their disposal by the institution in which they are working. The grant should not be regarded as a subvention towards the normal work of the institution but should be exclusively utilised for the research project for which it has been sanctioned.

1. Basic Facilities for Research :

All facilities for the conduct of the research, such as basic equipment and ordinary laboratory chemicals, glassware, furniture and other assistance as may be required for the smooth working of the research scheme shall be provided by the institution.

2. Staff :

2.1 The following scientific personnel may be sanctioned for carrying out a research scheme :—

	Ist Year	IIInd Year	IIIrd Year
(i) Senior Research Fellow	Rs. 800/-p.m.	875/-p.m.	950/-p.m.
(ii) Junior Research Fellow	Rs. 600/-p.m.	650/-p.m.	700/-p.m.

Note : Revised rates of stipend are applicable from 1.3.1981.

2.2 The qualifications prescribed for senior and junior research fellows are given under :—

- (i) Senior Research Fellows MBBS, who have completed internship or M.Sc. with at least 3 years research experience.

- (ii) Junior Research Fellows M.Sc./M.A., M.V.Sc., B.D.S. or equivalent qualifications.

2.3 Apart from fellowships, temporary posts on regular scales of pay for Scientists and Technicians can be provided on research projects. Ordinarily posts not higher in rank of Research Officer or equivalent posts will be provided. The scale of pay and allowances will be the same as admissible for corresponding categories of the staff of the institute where a scheme is located provided such research staff have been appointed according to the established procedure of ICMR. If there are no corresponding posts in an institute, the ICMR's scale of pay can be given but allowances would be the same as admissible to the staff of that Institute. The persons appointed on research projects will not be treated as the Council's employees. They will for all intents and purposes be governed by the rules and regulations of the Institute.

2.4 Non-scientific personnel like technicians, laboratory assistants, laboratory attendants, clerks, *etc.* are not ordinarily provided.

2.5 No person shall be appointed on deputation from any other organisation and expenditure on pensions/provident fund contribution and/or leave salary contribution by the Institution for persons, if any, appointed on deputation will not be met from the grant-in-aid.

3. Contingent Grant :

A contingent grant is given to meet petty expenditure on purchase of chemicals *etc.* No non-expendable article or equipment, books and journals can ordinarily be purchased out of the grant. The amount of contingent grant would depend on the requirements or needs of the research scheme.

4. Stores :

4.1 Normally no foreign exchange should be involved on the import of chemicals, reagents *etc.*

4.2 Stores can be purchased according to the rules and procedures of the institutions where the research is to be carried out.

- 4.3 All the stores purchased out of the grant will be the property of the Council and should not be disposed of without prior approval of the Council.

5. Duration of Schemes :

Research schemes will be approved for a maximum period of 3 (three) years. These will be sanctioned initially for one year ; the Council will renew the schemes annually on the basis of reports.

6. Report of Work Done :

Reports on the progress of work done under the research scheme will be submitted to the Council as and when called for. If a report is not submitted, the scheme is liable to be discontinued immediately without any notice.

7. Publications :

- 7.1 The assistance given by the Council should be acknowledged in any published account of work for which the grant is given.
- 7.2 Prior permission of the Council should be taken for publication of a paper in a foreign journal.
- 7.3 Copies of reprints of all papers based on the work done on the scheme published in journals other than the Indian Journal of Medical Research should be sent to the Council for record.

8. Patents :

- 8.1 The Council shall have the right to take out patents in respect of inventions/discoveries made in a research scheme financed by the Council.
- 8.2 The Investigator or the staff employed on the research scheme shall not apply or obtain patents for any invention/discovery made by them without prior approval of the Council. All patents will be registered in the name of the Indian Council of Medical Research.



9. Termination of Scheme :

- 9.1 Prior permission of the Council shall be obtained if the investigator desires to discontinue the scheme before the expiry of the approved duration.
- 9.2 A final report of the work done is required to be submitted within one month from the date of termination of the scheme. This report is to be sent to the Council along with a list of the expendable and non-expendable items of stores.

10. Maintenance of Accounts :

- 10.1 The grant will be released to the Head of the Institution in instalments.
- 10.2 A separate account for the grant received and expenditure incurred shall be maintained. The account will be subject to audit by the authorised auditors of the Institution. Latest by the end of December following the financial year for which the grant is paid, an **audit certificate** from the auditors to the effect that the accounts have been audited and that the money was actually spent on the objects for which it was sanctioned shall be submitted to the Council. Any unspent balance must be refunded to the Council on termination of the scheme. Further, grants will be stopped unless audited statements of accounts and utilisation certificates are received within a period of one year after the end of the financial year for which grant was sanctioned.
- 10.3 Expenditure should on no account exceed the allotment sanctioned for the enquiry.
- 10.4 The grant paid by the Council shall be refunded in full by the institution as and when the investigator discontinues a scheme midway or does not follow the detailed technical programme laid down and approved.
- 10.5 The grant may be revoked in whole or in part at any time by the Director-General of the Council.

INDIAN COUNCIL OF AGRICULTURAL RESEARCH (ICAR)

Krishi Bhavan, New Delhi-110 001

Contact Person : Secretary

Proforma of Application for Grant for AD-HOC Research Schemes

1. Title of the Scheme

(Give a brief but clear title of the proposed investigation. Use of words and phrases like "To investigate" or "Scheme for" should be avoided)

2. Location

(a) Name and address of Institute/University

(b) Name and address of the Head of the Department/
Division of the Institute/University

(c) Actual location where the research work will be
carried out

3. Information regarding Principal Investigator

(a) Name and designation

(b) Brief bio-data indicating his specialised interest
particularly in relation to the proposed research work

(c) List of important publications in this or related field
(Clearly indicate names of co-authors, if any, full
title, name of journal, volume and page number)

(d) List of other research scheme(s) being carried out
by the Principal Investigator with financial support
from various agencies/organisations (including
ICAR)

Name of the Agency	Title of the Scheme	Period		Grant
		From	To	

4. Information regarding other research Scientists to be associated with the investigation

- (a) Name and designation
- (b) Brief bio-data indicating his specialised interest particularly in relation to the proposed research work
- (c) List of important publications in this or related field (clearly indicate names of co-authors, if any, full title, name of journal, volume and page numbers)
- (d) List of other research scheme(s) with which the Scientists is/are associated which are being carried out with financial support from various agencies/organisations (including ICAR)

Name of the Agency	Title of the Scheme	Project From	To	Grant

5. Objectives : (Objectives should be precise and result-oriented which could be achieved within a specified period of time)

Before stating the objectives, a statement of the importance and the relevance of the problem in the background of which the objectives have been formulated be given. The assumptions made and a clear cut formulation of the basic hypotheses to be tested should also be given.

6. Practical/Scientific Utility

(Practical utility of the investigation including economic implications of the results likely to be achieved through this scheme, necessity of further research indicating lacuna in knowledge on the subject).

7. Review of research conducted/being conducted on the subject in India and abroad

- (a) At the sponsoring Institution (State preliminary work already done, techniques standardised, data collected etc.)

- (b) Research work done and in progress in India
- (c) Research work done and in progress in abroad

8. Technical Programme

(This is an informative statement for scrutiny by the Scientific Panel indicating essential phases/items of contemplated programme giving in-sight into the methodology and experimental techniques to be employed for executing the research programmes plan. A well-prepared year-wise plan of work is essential for the appraisal of research proposal).

- (a) The main items of observations to be recorded
- (b) Arrangement for analysing data and the name and designation of the Statistician associated in the programme planning
- (c) The items of investigation for which collaboration, indicating the collaborators with other Section/Department/Institute, is proposed.

9. Facilities : (Give details of facilities required for conducting the scheme)

- (a) Already available and can be provided free of charge :
 - (i) List of equipment and apparatus
 - (ii) Area of land/number of livestock for experimentation
 - (iii) Laboratory and Office facilities etc.
- (b) Additional facilities required which are chargeable to the scheme :
 - (i) Equipment and apparatus
 - (ii) Land/Livestock
 - (iii) Laboratory and Office facilities etc.



PART IX

179

10. Duration

(It should be short duration, normally for a period of three years and in no case could it be extended beyond five years).

11. Staff requirements

(Give details of scientific, technical and ministerial staff actually to be employed in the scheme as under)

Designation of post	Number	Scale of Pay	Qualification prescribed (for technical/scientific posts only)
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12. Estimates of costs

(Make year-wise estimates for the total period of the scheme giving details as indicated below) :

(The post should be provided in the scale of pay prevalent in sponsoring organisation/State Government/Institute for similar posts. The provisions for pay should be made only to the initial pay of the scale)

Sl. No.	Name of post	Scale of Pay	No. of posts	1st Year	2nd Year	3rd Year	Total
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1. Pay of Officers

2. Pay of Establishment

(Normally the Council will not provide for the supporting staff such as Field/Laboratory Attendants/Assistants, Typists, Clerks, Class IV employees)

3. Allowances and Honoraria

- (a) Dearness Allowance
- (b) House Rent
- (c) City Compensatory Allowance
- (d) Other Allowances (Including Medical Allowances, CPF, Leave Salary etc.)
- (e) Travelling Allowance

4. Contingencies

- (a) Recurring (with details such as glassware and chemicals and other contingencies)
- (b) Non-recurring

(Normally the sponsoring agency should provide the non-recurring contingencies. However, the Council may consider providing for any specialised equipment that might be considered essential for the execution of the project).

Total	Recurring	Non-recurring	Total

Share of the Council

Share of the Sponsoring Agency/Institute

(Normally the Council will bear 100% expenses in respect of the Projects sponsored by the agencies other than the State Governments. In the case of the State Government it is on 50 : 50 basis).

13. Receipts anticipated

(Please indicate the approximate receipts as a result of working of the scheme)

**Undertaking****14. Certified that :**

- (i) The research work proposed in the scheme does not in any way duplicate the research work already done and being carried out elsewhere on the subject.
- (ii) The scale of pay, allowances, etc., proposed above are those admissible to persons of corresponding status employed under.....(Name of the Institute/University).
- (iii) The present scheme cannot be combined with any scheme financed by the Council, Central and State Governments, Universities or Private Institutions of their own funds.
- (iv) Necessary provision for the scheme will be made in the Institute/University/State Budget in anticipation of the sanction to the scheme by the Council.
- (v) We have read the memorandum of understanding between the Indian Council of Agricultural Research and the sponsoring Institution in respect of *ad-hoc* research projects from Agricultural Produce Cess Fund of the Revised Guidelines for *Ad-hoc* Schemes. We undertake to abide by the guidelines provided by the Council for the implementation of the *ad-hoc* Projects.

Signature

Name

Designation

Date

Principal Investigator

Executive Authority
of the Institute/
University/State

35 copies of the scheme complete in all respects should be sent to the Secretary, Indian Council of Agricultural

Research, Krishi Bhavan, New Delhi 110001. It would be advisable to retain the stencils of the scheme for taking out more copies at a later date, if required, by the Council before the scheme is finally sanctioned.

ICAR Application form for Seeking Financial Assistance by the Scientific Organisations in Agriculture and Animal Sciences and Subjects of Allied Nature for Publication of their Journals/Newsletters.

1. Name of the Scientific Organisation with full address.
2. Name of the persons with whom correspondence may be made together with his telephone and telegraphic address.
3. Year of Establishment.
4. Whether registered under the Registration of Societies Act, 1860 or any other similar State Statute (Registration number and date to be given).
5. Prescribed Membership Fee.
6. Total number of members of the Organisation (as on the last 31st March).
7. Amount collected as membership fee (during the last year).
8. Nature of work of the Organisation.
9. Summary of the activities undertaken by the Organisation and its future programme :—
 - (i) Conferences/Seminars/Symposia/Conventions and Exhibitions held in the previous year.
 - (ii) Journals, News-letter and proceedings brought out in previous year.



- (iii) Other publications, e.g. Pamphlets, Brochures, Leaflets etc, brought out in previous year.
- (iv) Future programme.
10. Whether copies of the above mentioned Publications are being supplied regularly to the ICAR Library ?
 11. Financial position of the Organisation during the last year.
 12. Whether applied for assistance previously, If so, with what results ?
 13. Whether the Accounts of the Organisation for the previous year have been audited by its Auditors ? If so, a copy thereof may be furnished.
 14. Other sources from which financial assistance is received by the Organisation.
 15. Whether the Organisation agrees to maintain a proper separate account of the grant, if sanctioned by the Council ?
 16. Whether applied for assistance previously, If so, with what results ?
 17. Details of financial assistance already received from the Council if any, and the purpose for which it was received :—

Year	Amount of grant.	Purpose (in brief).	Total expenditure incurred.	Amount of grant utilised.	Has Utilisation Certificate been accepted by the Council.	Remarks.
	Rs.		Rs.	Rs.		
1	2	3	4	5	6	7

18. Journal/Newsletter for the publication of which a grant is sought from the Council :—

19. (a) Name of the Journal/Newsletter.
- (b) Periodicity of the Publication (fortnightly, monthly, bio-monthly, Quarterly, Yearly).
20. (c) Present state of Publication.
 - (i) Last Volume and number published upto the last 31st March.
 - (ii) Number in press.
 - (iii) Number in hand.
 - (iv) Number still to be compiled.
21. Number proposed to be brought out during the current year.
22. Total circulation of the Journal/Newsletter in India and Abroad.
23. Total expenditure incurred on publication during the previous year.
24. Total income accrued from sale.
25. Net Profit/Loss, if any.
26. Estimated expenditure during the current year.
27. Estimated income during the current year from :—
 - (i) Membership fee.
 - (ii) Sale.
 - (iii) Other sources.
28. Amount of financial assistance sought from the Council.
29. Has any grant for the above purpose been applied for from any other source? If so, please state :—



- (i) Name(s) of Authority/Authorities concerned.
- (ii) Purposes for which grant has been sought.
- (iii) Amount of grant sought.

Place :

Signature of the Executive
Authority of the Society
with seal of Office.

Date :

FORM C (Research Scheme)

**COUNCIL OF SCIENTIFIC & INDUSTRIAL
RESEARCH (CSIR)**

Rafi Marg, New Delhi-110 001

Application for grant for a Research Scheme

Contact Person-The Director

**Please furnish 30 copies of the application along
with the summary card, duly filled up*
at any time during the year**

SECTION A : GENERAL

1. Name(s) of applicant(s)** :

Department and full address :

2. Title of research proposal :

(a) Broad area/field classification ;

(b) Names and addresses of 3-4 research
scientists of standing in the field in
other universities/research institutions
in India actively engaged in the same
area of research to whom a reference
could be made.

* To be obtained from CSIR with other particulars. CSIR should be informed if no acknowledgement is received within one month from the date of application.

** In case of collaborative projects, give details of the co-investigators also.

**Declaration & Attestation**

3. I/We have read the Terms and Conditions for CSIR Research Grant. Necessary institutional facilities will be provided if the research proposal is approved for financial assistance. Full account of expenditure will also be rendered by the institution.

Name	Designation	Signature with date
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(a) Principal investigator :

(b) Co-investigator(s) :

(c) Head of department :

(d) Head of institute :

(e) Name and place of the institute :

(f) Date of submission :

Seal of
Head of the Institute

SECTION B : BIODATA OF INVESTIGATOR(S)*

(To start on a fresh page)

1 Name : Dr/Mr/Miss/Mrs

Designation :

Department, Institution & Address :

Date of birth :

2. Educational qualifications :

Degree conferred (begin with Bachelor's degree)

* In case of collaborative projects similar biodata of the co-investigators may be given.



Degree	Institution conferring	Field(s)	Year
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3. Research/Training experience :

Duration	Institution	Designation	Nature of work done
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4. Research specialization (Major scientific fields of interest)

5. (a) Research work done by the proposer in this or related area in the past.

(b) Personal Publications.

(i) in this and related area.

(ii) in other areas, giving names of all authors, name of journal, volume, year and pages, during the last 6 years.

6. Available institutional facilities : Facilities in equipment, etc. available at the sponsoring university/institute for the proposed investigation.

7. Research support to the Investigator from various sources* during the last 6 years :

Title of project, including Sanction No., if any	Total amount of grant	Total period of support with date
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(a) From CSIR (including direct fellowships from CSIR)

Past†

Present

Pending

* This information must be given; otherwise the application will be returned. In case no grant has been received, *nil* must be stated.

† A copy of the final technical report of the completed projects must be enclosed with the application, in case grant was received in the past. In case the report is not available, a summary may be enclosed, giving objectives and highlighting achievements.



(b) From other sources

Past*

Present

Pending

SECTION C : DETAILED RESEARCH PROPOSAL

(To start on a fresh page)

Information given below, must illuminate the Research ground to be covered through this project. The research objectives and the scientific perspective against which it is conceived should be clearly exposed to enable Referees to arrive at a scientific judgement regarding its merits. In particular, it must furnish the following information :

(a) Title of the project :

(b) Brief outline of objectives :

(c) Perspective of Research goals :

(i) Perspective of ground work and researches already available in the field.

(ii) Exposition of various research problems in this field, in view of existing concepts, knowledge, expertise and understanding.

(iii) Specific gaps out of those identified above, proposed to be tackled through this proposal.

(iv) Contextual significance of this specific proposal and rationale for its choice.

(d) Enumerate the tasks and strategies (theoretical, experimental or design etc.) proposed to be adopted for accomplishing the above objectives.

* A copy of the final technical report of the completed projects must be enclosed with the application, in case grant was received in the past. In case the report is not available, a summary may be enclosed, giving objectives and highlighting achievements.



PART IX

189

- (e) Duration of the project : (Normally not exceeding 3 years)
- (f) Actual plan of work phasewise : (1st year, 2nd year, 3rd year)
- (g) Funds : Detailed yearwise break-up under staff, equipment, contingencies, etc. with appropriate justification.

1st Year	2nd Year	3rd Year	Total
Staff : (Specify JRF, SRF etc.)			
Contingencies :			
Equipment : (Specify major equipment required and cost)			
Grand Total			

- (i) Utilisation of contingency :
Please specify what for this amount is to be used.
- (ii) Utilisation of grant for equipment :
The name of equipment with approximate cost and its use in the context of this project may be given. In case the details are not given, equipment grant may not be considered. It may also be mentioned whether the equipment is available in any nearby institution or not. In case it is available, why the same cannot be made use of.

• NOTE

A few suggestions in preparing applications for research grants are given below :

1. The title of the research scheme should not be vague or too general. Avoid titles like "Studies on reforming catalysts" or "mechanism of hydrodesulfurization". Instead, give specific titles like. "Influence of Re on dispersion of Pt in Pt-Re-Al₂O₃ reforming catalysts".
2. The detailed research plan, for instance in the area of catalysts, should mention specifically the catalysts, reactants and reaction conditions. Vague terms like "transition metal catalysts", "chemisorption of various gases under various experimental conditions", "—Several hydrocarbon reactions will be tried", etc. are often taken as indications that the applicant has indirect knowledge of the research field and has no clear conception of what he wants to investigate ; this leads to the research proposal being rejected.
3. It is not necessary that the research scheme should always have any applied bias. Any really good proposal for fundamental research will be seriously considered, while vague proposals with an applied garb will be rejected.
4. For previous work in the field, exact references should be given. References should specify the names of authors, volume number, year and page numbers. Irrelevant references should be avoided.
5. While giving a list of publications of the applicant, please give the names of *all* authors of each paper cited. The practice of not mentioning the authors' names at all or giving the authors as applicant *et al.* may receive less weightage.
6. Realistic assessment of time and personnel needed be given with justification. *Do not propose schemes which may last for more than 3 years.* Include a detailed activity chart indicating phase-wise programme of work involved, date of commencement and date of completion of the phase ; if possible also indicate shares of responsibilities of investigators and their research fellow.
7. Chances of getting a CSIR research grant will increase if the proposal is clear and specific in the objective and realistic and reasonable in the means needed to execute it.
8. The equipment proposed to be purchased out of funds from CSIR must be readily available in India.

**CSIR EMERITUS SCIENTIST GRANT**

- 7.0 Under this scheme, CSIR provides financial assistance to superannuated outstanding research scientists to pursue research in their fields of specialization, which are also of relevance to the programme and activity of CSIR.
- 7.1 A scientist who is an acknowledged expert in his specialization and has been actively engaged in scientific research during the preceding five years of superannuation will be eligible for grants under this scheme.
- 7.2 Request for grant under Emeritus Scientist scheme may be made in the prescribed form (Form D) obtainable from CSIR, and forwarded through the executive authority of the institution where the scientist proposes to carry out research work.
- 7.3 Tenure of emeritus scientist will initially be for two years. Extension for another two years with further extension for one year may be allowed depending on the progress of work subject to maximum age limit of 65 years. An emeritus scientist is expected to send a report of work done during the year for consideration of the committee as provided for research schemes in para 3.0.
- 7.4 The grants consist of an honorarium to the scientist at the rate of Rs. 2,000/- p.m. for the duration of tenure and a contingent grant of Rs. 6,000/- per annum, and technical assistance in the form of research fellow/associate.
- 7.5 All other general terms and conditions as applicable to research schemes shall also apply to emeritus scientist grants.

3-2-89

UNIVERSITY GRANTS COMMISSION
ENHANCEMENT OF THE VALUE OF UGC
FELLOWSHIPS/ASSOCIATESHIPS

(1) Fresh Junior Research Fellows qualifying in the National Test

The value of the fellowships who have qualified in the National Test is now Rs. 1,000/- p.m. (with effect from 1.8.1984). The fellowships will be raised to Rs. 1,200/- p.m. after rigorous evaluation of the work of the scholar on completion of 2 yrs. In the field of science the contingency grant is Rs. 5,000/- p.a. In the field of humanities and social science it is Rs. 3,000/- p.a. but could be raised to Rs. 5,000/- p.a. in special cases.

(2) Junior Research Fellows already working

For the JRF who are already working without appearing in the National Test the value of their fellowship will be enhanced to Rs. 800/- p.m. with effect from 1.8.1984. The fellowship will be raised to Rs. 900/- p.m. after rigorous evaluation of the work of the scholar on completion of 2 yrs. The fellowship amount will be Rs. 950/- p.m. in the case of scholars whose work has already been assessed and found satisfactory on completion of 2 yrs. The fellowship amount of Rs. 800/- p.m./Rs. 950/- p.m. will be applicable to those existing scholars also who appear in the National Test but fail to qualify. The amount of contingency will be the same as that of in (1).

(3) Research Associateship

The values of Associateships are now from Rs. 1,400/- to Rs. 2,000/- p.m.

House Rent Allowance

Single seated flat-type accommodation should be provided to all Research Fellows/Associates as far as possible. Alternatively, they would be entitled to House Rent Allowance on the same basis as admissible to teachers receiving equivalent salary.

Medical Facilities

Health facilities should be provided to Research Fellows on the basis as to other students of the University.

Assistance to Departments

The UGC has also decided that each Research Fellow/Research Associate should be supported with a contribution of Rs. 3,000/- p.a. to the department concerned for providing infrastructural facilities (gas, water, electricity, repairs, etc.)